

STATEMENT OF REASONS

The Metropolitan Borough of Barnsley (A633/A635 Stairfoot Roundabout Improvement) Compulsory Purchase Order 2026

City Region Sustainable Transport Fund

The Highways Act 1980

and

The Acquisition of Land Act 1981

Contents

1. Introduction
2. Outline of the Council's purpose and justification in making the Order
3. Purpose of the Order, The Enabling Powers and Related Provisions
4. Background and Description of the Scheme
5. Alternatives to the Scheme
6. Extent to which the Scheme fits within the Planning Framework
7. Description of the Order Land, Location, Order Maps
8. Steps taken to Acquire the Land by Agreement
9. Related Orders and Statutory Provisions
10. Delivery, Viability and Funding
11. Human Rights Act and Public Sector Equality Duty
12. Special Considerations
13. Conclusions
14. Lists of Documents

1. Introduction

- 1.1 On 9 September 2026, the Cabinet of the Metropolitan Borough of Barnsley (**“the Council”**) passed a resolution and agreed to the use of compulsory purchase powers and authorised the Head of Service Legal and Democratic Services and the Executive Director Growth and Sustainability in consultation with the Cabinet Member for Environment & Transport to make the Metropolitan Borough of Barnsley (A633/A635 Stairfoot Roundabout Improvement) Compulsory Purchase Order 2026 (**“the Order”**).
- 1.2 The Order was made under Sections 239, 240 (general powers of highway authorities to acquire land and for the construction and improvement of highways, 250 (land acquisition powers to extend to creation as well as acquisition rights) and 260 (clearance of title to land acquired for statutory purposes) of the Highways Act 1980 (**“the HA1980”**).
- 1.3 The Council believes that there is a *compelling case in the public interest* for making the Order and that the proposed acquisitions will enable the carrying out of improvements on the A633 (Wombwell Lane) and A635 (Doncaster Road) corridors (**“the A633/A635 corridors”**) and to Stairfoot Roundabout, known as the A633/A635 Stairfoot Improvement Scheme (**“the Scheme”**). The Scheme comprises the following principal elements:
- Straighten the approach to the roundabout from Wombwell Lane/Bleachcroft Way
 - Replace the bus lane on Doncaster Road with an extra all-vehicle lane
 - Increase the number of lanes on the Grange Lane entry and exit by widening the abutments
 - Replace the bus lane on Bleachcroft Way with an all-vehicle lane and a bus layby
 - Expand the roundabout to provide three continuous lanes
 - Widen the footways around the junction to a minimum of three meters and convert to shared use (permitting foot and cycle)
 - Improve a section of the Trans Pennine Trail, including replacing the existing bridge over Grange Lane
 - Improve traffic signal and control technology to maximise bus performance
 - Upgrade bus stops/shelters where possible with real-time information boards
- together (**“the Scheme Works”**) as more particularly described and show in the scheme drawings found at **Appendix B Plans 1-2** (**“the Scheme Drawings”**).
- 1.4 The Scheme Works combined with the Council's wider initiatives on this strategic corridor will improve the economic, social and environmental wellbeing of residents, workers and visitors to the Borough of Barnsley.
- 1.5 This Statement of Reasons (**“Statement”**) is a non-statutory statement provided in compliance with:
- Department for Transport (**“DfT”**) Circular 2/97 titled: *“Notes on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State for Transport is the Confirming Authority”* - dated June 1997.

- the Ministry of Housing, Communities and Local Government's Guidance on the Compulsory Purchase Process and the Crichel Down Rules for the Disposal of surplus land acquired by or under threat of compulsion – updated 31 January 2025.

1.6 If the Order is confirmed by the Secretary of State for Transport, the confirmed Order will enable the Council to use its powers to compulsory purchase the land and rights over the land needed to facilitate the delivery of the Scheme.

2. Outline of the Council's purpose and justification in making the Order

- 2.1 The Council's purpose in making the Order is to secure the acquisition of all relevant land interests ("**the Order Land**") to facilitate the delivery of the Scheme.
- 2.2 The Order is intended to enable transport interventions along the A633/A635 corridors to a standard which will deliver the efficiencies and future growth capacity necessary to realise the economic dependencies in the local region which need to be achieved. Accordingly, the objectives following the acquisition of the Order Land are to bring them into beneficial use as an enabling component of the wider City Region Sustainable Transport Settlement guidance.
- 2.3 The Scheme Works will be carried out to current highway standards, improving on the existing alignment. The improved alignment will reduce journey times and provide greater reliability for public transport and public highway users. The new junction alignment will improve road safety and reduce the potential for collisions.
- 2.4 The Scheme will provide safer and improved routes for pedestrians and cyclists and provide greater connectivity to the Trans-Pennine Trail leisure route.
- 2.5 The Order Land is adjoining highway maintainable at the public expense and under the Scheme, presents the only opportunity to improve the A633/A635 corridors. Without the transport interventions along the A633/A635 corridors, which is dependent upon the land acquisition strategy, the Scheme would fail to materialise and put the CRSTS funding at risk.
- 2.6 The making of the Order will enable the Council to acquire the Order Land and any rights necessary for carrying out the Scheme Works. This will ultimately deliver the Scheme in the public interest of improving journey times, reducing congestion, increasing road safety and public health benefits. The Council is using the most specific available powers available to it.

3. Purpose of the Order, The Enabling Powers and Related Provisions

- 3.1 The Guidance published by the Ministry of Housing, Communities and Local Government (“**MHCLG**”) updated in January 2025 provides the latest advice in relation with the use of compulsory purchase powers.
- 3.2 In accordance with the MHCLG, the purpose for which an authority seeks to acquire the Order Land will determine the statutory power under which compulsory acquisition is sought. Paragraph 11 advises that “acquiring authorities” should look to use the *“most specific power available for the purpose in mind and only use a general power when a specific power is not available”*.
- 3.3 The Council as the “acquiring authority” have been negotiating the acquisition of the Order Land required for the Scheme with the private owners by voluntary agreement and have been successful in acquiring the majority of the Order Land. However, there are still some parcels of land that remain in private ownership and despite the Council’s best endeavours to negotiate, the Council have not been successful to date. This land can be seen in **Appendix A – Order Maps A-C**. The Council, is now therefore, utilising its powers under Sections 239, 240, 250 and 260 of the HA1980 and Schedule 3 to the Acquisition of Land Act 1981 (ALA1981) for the acquisition of all the remaining interests and new rights in the Order Land, required to facilitate the delivery of the Scheme.
- 3.4 Section 239 of the HA1980 provides a general power for a highway authority to acquire land for the construction of a highway which is to be maintainable at the public expense or to acquire land for the improvement of a highway.
- 3.5 Section 240 of the HA1980 provides a further general power for a highway authority to acquire land for the purposes of carrying out works to stop up, divert or alter an existing highway that crosses or enters the route of the road and to construct a new highway for purposes concerned with such alteration as authorised under Section 14 of the Act.
- 3.6 Section 250 of the HA1980 provides for the acquisition of rights over land by creating them as well as for the acquisition of rights already in existence.
- 3.7 Section 260 of the HA1980 enables the Council to include land in the Order for the purpose of clearing the title.
- 3.8 The Council is satisfied that that for the reasons set out below, the purpose of the Order falls within the powers set out above and that the Order may be lawfully made.
- 3.9 In accordance with Paragraph 2 of the MHCLG, the Council will exercise its compulsory purchase powers because it has not been able to acquire by agreement all interests that are required for the Scheme and it is not certain that it will be able to acquire the remaining land by agreement to enable the delivery of the Scheme. The Council will, however, continue to make efforts to acquire the land by agreement.
- 3.10 The MHCLG Guidance and the DfT Circular no. 2/97 provides guidance to acquiring authorities on the use of compulsory purchase powers and sets out the overarching consideration that there must be a compelling case in the public interest for making a compulsory purchase order. The Council has taken full cognisance of this consideration in making the Order. Sections 2 and 4 detail why the Council

considered that there is a compelling case in the public interest to make the compulsory purchase order and to proceed with the Scheme.

- 3.11 The MHCLG Guidance states that undertaking negotiations in parallel with preparing and making a compulsory purchase order can help to build a good working relationship with those whose interests are affected by showing that the acquiring authority is willing to be open and to treat their concerns with respect. Whilst the acquiring authority must make all reasonable efforts to acquire the land by negotiation, it is no longer the case that the making of a compulsory purchase order can only be made as a last resort. Acquiring authorities are expected to provide evidence that meaningful attempts at negotiation have been pursued.
- 3.12 Landowners, tenants and occupiers (to the extent that ownership is known) were approached by the Council about the potential acquisition of their land for the Scheme together with the Council's proposed use of compulsory purchase powers during 2024 and 2025. Since then, negotiations have been ongoing with respect to the acquisition of the Order Land and compensation where landowners have been prepared to engage with the Council. Note that there is unregistered land within the Order Land where ownership is not known and the Council have not been able to make contact. Where relevant, dialogue has also taken place and will continue to take place in relation to any mitigation works which may be required. Notwithstanding discussions with interested parties, negotiations as to the value of compensation remains unresolved for the majority of interests. The Council will continue to make meaningful attempts to reach agreement on a voluntary basis, where ownership is known and negotiation remains the preferred route to acquiring the Order Land, where possible. Where mitigation measures are appropriate, the Council are taking a proactive and sensitive approach to work with landowners, lessee and tenants to minimise adverse impact.
- 3.13 In summary, the Council is satisfied that it can lawfully exercise the specific powers of compulsory purchase set out above and that it is able to demonstrate there is a compelling case in the public interest for the exercise of those specific powers in the public interest that is sufficiently justifies the interference with private rights in carrying out the Scheme Works and delivery of the Scheme.
- 3.14 The table below sets out which powers of the Highways Act will be used for each parcel included in the Order.

Plot No	Practical Reason for acquirement	Highways Act Powers
1	Widening the carriageway and footway on Grange Lane.	Sections 239 & 240
1A	Temporary working space / construction access.	Section 250
2	Temporary working space / construction access.	Section 250
3	Widening of carriageway / footway on Grange Lane & Doncaster Road close to Stairfoot Junction.	Sections 239 & 240

4	Widening of carriageway / footway on Grange Lane close to Stairfoot Junction.	Sections 239 & 240
5 & 5A	Widening of footway on Bleachcroft Way.	Sections 239 & 240
6 & 6B	Widening of carriageway / footway on Bleachcroft Way.	Sections 239 & 240
6A & 6C	Temporary working space / construction access.	Section 250
7	Temporary working space / construction access.	Section 250
8	Widening of carriageway / footway on Bleachcroft Way.	Sections 239 & 240
8A	Temporary working space / construction access.	Section 250
9	Temporary working space / construction access.	Section 250
10	New carriageway / footway on Wombwell Lane.	Sections 239 & 240
11	New carriageway / footway on Wombwell Lane.	Sections 239 & 240
12	New carriageway / footway on Wombwell Lane	Sections 239 & 240
13	Temporary working space / construction access	Section 250
14, 14A, 15	Widening of carriageway / footway on Wombwell Lane to create extra turning capacity into Stairfoot Retail Park.	Sections 239 & 240
14B, 15A	Temporary working space / construction access	Section 250

4. Background and Description of the Scheme

- 4.1 Like many roads across South Yorkshire, Barnsley has suffered for many years with high levels of congestion across its network and despite there being an obvious need for investment in infrastructure interventions there has never been an opportunity to secure the level of funding required. This lack of investment has resulted in increased levels of congestion, queuing, collisions, poor journey times, especially for buses and the associated air quality and noise pollution issues. It also reduces the ability for investment in the area and the delivery of housing and employment sites. Significant investment is therefore needed, with the A633 / A635 corridors being one of the main transport routes in the borough.
- 4.2 In September 2018, the (then) Sheffield City Region was confirmed as one of the areas across the country to have been shortlisted for the main phase of the Transforming Cities Fund (TCF). The aim of the TCF was to drive up productivity through improved connections between urban centres and suburbs. To do this, the DfT aimed to:
- Invest in new local transport infrastructure to boost productivity
 - Improve public transport and sustainable transport connectivity
 - Improve access to employment sites, Enterprise Zones and development sites
- 4.3 The Council presented the A633 / A635 corridor as the main focus for this bid; with interventions to include improved bus journey times, improved air quality, reduce congestion and support access to employment. The bid was successful and over £33m was secured for several schemes in Barnsley. Due to the lack of staff resources at the time, the Scheme was designed by SCR and consultants; however, this did not deliver the desired outcomes, so in 2020, and now fully staffed, the Scheme came back within at the Council for design.
- 4.4 In September 2021, the South Yorkshire Mayoral Combined Authority (SYMCA) submitted a bid to the DfT to secure funding from the City Region Sustainable Transport Settlement (CRSTS). Working to an anticipated, overall expected allocation of £400m, a SYMCA request was to submit a list of schemes that met with the DfT criteria which were:
- Driving growth and productivity through infrastructure investment;
 - Levelling up services towards the standards of the best; and
 - Decarbonising transport, especially promoting modal shift from cars to public transport, walking and cycling.
- 4.5 In April 2022, it was announced that the allocation to the SYMCA was £570m, with Barnsley's allocation being over £70m, which includes a "top slice" of £20m for highway maintenance and £5.5m for the Local and Neighbourhood Transport Complementary Programme (LNTCP), which in effect replaces the former Integrated Transport Block (ITB). Cabinet approved the acceptance of the CRSTS in October 2022 – Cabinet Report reference CAB 2.11.2022/12.
- 4.6 Since the award of the SYMCA funding, the Transport and Highway Design teams at the Council have already had several Outline Business Cases (OBC) approved by

SYMCA, including the Scheme. The OBC for the Scheme which can be found at **Appendix C**.

- 4.7 Through CRSTS funding, the Council are progressing a package of over £45 million of both small and large highway improvement interventions across the borough, aimed at relieving congestion on the strategic highway network and to address the modal shift from the private car in providing new and improved active travel routes.
- 4.8 The delivery of a full borough wide strategy will take many years to realise due to the topographical nature of the borough and the extent of the numerous proposals. In 2023, a survey was undertaken to gauge residents' views on what they felt were the most congested junctions and routes. From this survey, it concluded results that the A633/A635 corridors and Stairfoot Roundabout were deemed to be the priority for intervention.

The A633/A635 Corridor Improvements

- 4.9 The A633 (Wombwell Lane) and A635 (Doncaster Road) are the main routes to and from Rotherham and Doncaster into Barnsley. Both corridors are congested, particularly at the Stairfoot Roundabout and Cundy Cross junctions, already over capacity with all users experiencing significant delays to their journeys. There are issues of slow bus journey times, lack of walking and cycling provision and road casualties.
- 4.10 Many traffic surveys have been undertaken, mainly through Automated Traffic Counts (7 days, 24 hours) and have also included queue length surveys. This data has been input into traffic modelling software (AIMSUN / LINSIG) which has shown that the existing roundabout is working way over its operational capacity. This over capacity results in long delays and long queues on the approach to the roundabout. The modelling reports can be seen in **Appendix F and G**.
- 4.11 There have been a number of road collisions at the junction with rear end shunts usually being the case, as drivers try to navigate the roundabout and take chances.
- 4.12 Although not in an Air Quality Management Area, idling traffic and exhaust emissions do not help with air quality issues.
- 4.13 In 2023, the Council's Strategic Transport team undertook a resident survey to gauge their views on what the public perception of what was the worst junction and worst corridor in the borough for slow journey times. The Stairfoot Roundabout and the A633/A635 corridors were the number one priority. Both the report with results from the survey and Cabinet Report (reference CAB 4.10.2023/7) can be seen in **Appendix D**.
- 4.14 Taking on board the views of residents, significant improvements will need to be made on the A633/A635 corridors. The Council are seeking to deliver multi-modal journey time improvements across our Key Route Network (KRN), which are those routes which carry more than 20,000 vehicles per day and provide significant connectivity across South Yorkshire.
- 4.15 The A633/A635 corridor improvements will therefore bring forward major improvements to reduce congestion, reduce the queues, improve journey times, reduce pollution and road collisions, increase walking and cycling and also improve public transport links.

- 4.16 The Scheme has been broken down into the following packages to enable targeted interventions that align with parallel regeneration and investment priorities contained within the Local Plan.

Phase 1 – The A633 Cundy Cross / Rotherham Road Junction - a package of measures aimed at increasing capacity at this junction and providing enabling measures for the work at Grange Lane and the Stairfoot Junction. Full Business Case approval has been granted; work is on site and is expected to be completed by June 2026. The works include road widening to create additional lanes on the approaches to the junction, improved crossing facilities, the stopping up of junctions that were being used as rat runs which in turn prevented the junction from working efficiently

Phase 2 – The A633 / A635 Stairfoot Improvement Scheme (over £30m) – a package of improvements at this major roundabout and junction. Now anticipated for delivery late 2027 and the subject of this Statement.

Phase 3 – The Alhambra Roundabout – Westway – Town End; the work required downstream of Stairfoot Roundabout to provide the capacity into the Town Centre and the new Health on the High Street facility at the Alhambra. Funding for the development of this scheme has been secured.

Phase 4 – Connectivity to Rail Stations – including extending the platform at the Interchange to allow for a peak hour service to London. Improving walking and cycling links to Wombwell station. Development work is in progress.

Schemes Already Delivered

- Improvements to the Trans-Pennine Trail linking the Town Centre to A635 Doncaster Road.
- Wombwell to Worsborough Active Travel Link.

- 4.17 The Scheme is the Council's major highway scheme for delivery within the CRSTS programme and has the potential to deliver the following benefits:

- Improved journey times for over 50,000 vehicles daily, particularly during peak periods.
- Overcoming existing capacity issues at this strategic junction and along the A633 /A635 corridor and build in future growth protection.
- Relieving congestion in and around the junction / corridor, making it easier and quicker to get around.
- Improving facilities for walking and cycling, including improved links to the Trans-Pennine Trail to encourage more people to get out and about for recreation and health.
- Improving the public realm and increasing biodiversity.
- Improving access arrangements around the employment sites along the corridor; encouraging economic growth and businesses to open.
- The inclusion of bus priority measures in the form of the Bus Virtual Trigger system as part of the new signal layout.
- Reduction in traffic related pollution along the corridors due to lower congestion.

- 4.18 The proposals have been subject to formal consultation and has an Outline Business Case approved by SYMCA.

Interventions requiring the Order Land

- 4.19 Of the full packages of transport interventions for the Scheme, the following works are dependent on the acquisition of the Order Land:
- Widening of Bleachcroft Way carriageway on the northbound approach to Stairfoot Roundabout to three lanes (relocating carriageway into the verge).
 - Widening of Wombwell Lane carriageway on the northbound approach to extend the slip road into the Retail Park (relocating carriageway into the Retail Park verge).
 - Widening of Wombwell Lane inbound to create additional carriageway capacity and widening of footways.
 - Creation of a footway link on the southbound approach to Stairfoot Roundabout.
 - Widening of footway on Bleachcroft Way.
- 4.20 The Scheme Works will not be possible without acquiring the Order Land shown on Maps to the Order numbered A-C attached at **Appendix A**.

Scheme Design Assessment

- 4.21 The concept for the Scheme was identified through option appraisal and testing to reach a preferred option. The Scheme went through public consultation and was progressed to a detailed modelling assessment, making the use of industry standard modelling software – Saturn for Strategic modelling, AIMSUN for a micro simulation model of the roundabout and LINSIG for detailed traffic signal appraisal.
- 4.15 The Active Mode Appraisal Toolkit (AMAT) has been used to assess the benefits of the active mode interventions. In addition, journey time benefits were assessed using the DfT's Transport User Benefit Appraisal (TUBA) software in line with guidance contained in TAG Unit A-3.
- 4.16 The final design for the Scheme has been tested using the microsimulation software AIMSUN, to understand the effectiveness of the scheme and, as the proposals include for new signal arrangements, they have been tested within AIMSUN and also to optimise timings, the use of LINSIG has been used to further enhance the benefits of the preferred scheme.
- 4.17 The results from the microsimulation model show that overall, the Scheme will have a positive impact on journey times – especially along Wombwell Lane and Bleachcroft Way and throughout Stairfoot Roundabout.

Active Travel Mode

- 4.18 The Scheme also includes a package of active travel interventions and improvements. These interventions will deliver benefits across the corridors and wider area through improving connectivity to bus stops and the local rail station and to existing walking and cycling routes, including the Trans-Pennine Trail, creating a more integrated transport network.

Wider Impact Benefits

- 4.20 Between 2009/2010 and 2022/2023 bus patronage fell in South Yorkshire by 45% with the decline in Barnsley even greater. The 2021 census shows that only 5.3% of all journeys to work were made by bus in Barnsley, with the proportion of journeys made by bus declining from 6.5% in the previous 2011 census. With heavy congestion on this network and around Stairfoot Roundabout and junction, poor journey time and reliability has been experienced by the bus operators, leading to a further decline in passenger numbers.
- 4.21 The Scheme will improve accessibility by walking and cycling to local bus stops along the corridors. In addition, bus stop facility improvements, including the provision of real time information will provide a better customer experience and improve journey quality. The inclusion of the Bus Virtual Trigger system into the new traffic signals will also give buses the benefits of signal timings to give buses priority as they approach the junction.
- 4.22 By improving accessibility to bus stops and the local rail station and journey time reliability along the bus corridors should become a more attractive modal choice for people living in the area and wanting to travel into the Town Centre.
- 4.23 Through providing improved accessibility to local bus stops and the local rail station, the Scheme supports the Local Plan where the Scheme Works are situated in and around the A633/A635 corridors. The Scheme will provide an economic benefit to the area by the provision of improved access to third party new housing developments and for local businesses with employment uses.

5. Alternatives to the Scheme

- 5.1 The Council has considered several options to alleviate the traffic issues on the A633 / A635 corridors and Stairfoot Roundabout. An Option Assessment process was undertaken, which resulted in an initial long list and a further refined short list of possible solutions. These have been rejected as being inferior to the Scheme as they dealt less effectively with the range of issues and problems as outlined above, in addition to not meeting the stated and agreed objectives as outlined in the OBC.
- 5.2 Full details of Option Assessment is included in the OAR report at **Appendix E**.
- 5.3 An initial Red-Amber-Green (RAG) rating assessment of the long list of options was undertaken against based on known factors influencing location choice of the roundabout including:
- Alleviate Severe congestion on the A633 / A635 corridors
 - Improves access by sustainable modes
 - Enables delivery of employment and residential sites
 - Reduction in Greenhouse gas emissions
 - Reduction in Killed or Seriously Injured
 - Costs would be within the CRSTS allocation
 - Assessment of the land purchase and acquisition process
 - Assessment of buildability
- 5.4 The long list RAG assessment process is within the OAR at **Appendix E**, which categorises each option as either having Positive, Neutral or Negative Benefits with a scoring mechanism: Positive +1, Neutral 0 and Negative -1. The options with the highest scores were considered for the short list, including further design development.

6. Extent to which the Scheme fits within the Planning Framework

- 6.1 In the DfT Circular no.2/97 "*Notes on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks*" for which the Secretary of State for Transport is the Confirming Authority", Paragraphs 3 and 12 state:
- Paragraph 3: Where the scheme consists of works required for, or incidental to, the improvement of a highway on land outside, but adjoining, the boundary of the highway, planning permission is granted by the Town and Country Planning (General Permitted Development) Order S.I. 1995 No. 418 - see Part 13 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (**TCPA(GPD)1995**) as amended by the Town and Country Planning (General Permitted Development) Order 2015.
 - Paragraph 12: It is considered that the proper criterion to be applied in all cases is that indicated in the wording of the description in Part 13 of Schedule 2 to the TCPA(GPD)1995; that is to say, that where all the projected works are to be carried out on land outside but adjoining the boundary of an existing highway the case is one involving the improvement of an existing highway only, but where works are to be carried out on other

land, so that, when the scheme is complete, there will be non-highway land between the projected works and the existing highway, then on that length the works should be regarded as works for the construction of a new highway.

6.2 The Scheme works authorised by this Order include works to be carried out both within the boundaries of the existing highway and on land outside but adjoining the highway boundary. The Scheme works carried out within the boundaries of the existing highway do not constitute development by as defined by section 55(2)(b) of the Town and Country Planning Act 1990. The Scheme Works carried out on land outside but adjoining the existing highway boundary constitute permitted development under Class A(b) of Part 9 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, being works required for or incidental to the maintenance or improvement of the highway.

6.3 The Council is satisfied that there is no planning impediment to the implementation of the Scheme. Planning permission is not required for the Scheme overall because it falls within permitted development as explained in Section 6.1 above and there are no outstanding planning or regulatory barriers that would prevent delivery within a reasonable timeframe. The Council acknowledge that specific planning consents are, however, required to deliver some of the Scheme Works which do not fall within the Order Land, as follows:

- 2025/0942 - Approved application for change of use and relocation of security fencing to facilitate a land swap. The Council own this land.
- 2025/1092 - Validated application awaiting determination for demolition of existing non-motorised user (NMU) bridge, and construction of replacement NMU bridge. The Council own this land and bridge. The Council has been advised that there are no material planning concerns and that permission is expected to be granted. The Council is therefore satisfied that there is no planning impediment to the Scheme proceeding. *[Planning consent should be received by August 2026 and the Planning department have confirmed this will be approved. This will be updated in due course.]*
- 2025/0689 - Approved application for advertisement consent to facilitate a land swap. The Council have obtained this consent on behalf of the owner to relocate within their own land.
- 2025/0735 - Approved advertisement consent to facilitate a land swap. The Council have obtained this consent on behalf of the owner to relocate within third party land.
- There is a public art feature located south of Plots 5 and 5A which is on land within the Council's ownership adjacent to Stairfoot Roundabout between Doncaster Road and Grange Lane approaches on the eastern side of Stairfoot Roundabout. The artwork will be relocated as part of the Scheme Works. The Council will need to obtain planning consent to relocate the public art feature. As there is already a permission in place, the Council do not envisage any impediment to obtaining this planning permission.

Decision notices are listed in **Appendix H**.

- 6.4 Issues such as drainage, BioDiversity Net Gain (BNG), Air Quality have been considered in accordance with the DfT TAG guidance for the submission of major scheme business cases, which are appraised by SYMCA.
- 6.5 Details such as Construction Management Plans form part of the NEC4 Tender package for the construction of the scheme.
- 6.6 The Council has a clear BNG policy and has created its own BNG site and for any transport scheme, replacement planting and landscaping forms part of any scheme and BNG units purchased.

National Planning Policy Framework ('NPPF')

- 6.7 The NPPF is the Government's overarching planning policy guidance. It sets out the Government's planning policies for England and how these should be applied, and this was updated in December 2024. Its overriding principle is the presumption in favour of sustainable development which is set out at Paragraph 11. This provides guidance on what applying a presumption in favour of sustainable development means for plan-making and decision-taking.
- 6.8 The NPPF provides a framework within which locally-prepared plans for housing and other development can be produced of which the following are of particular relevance to the scheme:
 - An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
 - Deliver a sufficient supply of homes: To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
 - Build a strong, competitive economy: Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
 - Ensuring the vitality of town centres: Planning policies and decision should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
 - Promoting sustainable transport: The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice

of transport modes. This can help to reduce congestion and emissions and improve air quality and public health.

- 6.9 The NPPF commits the Government to set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration; ensuring that the planning system does everything it can to support sustainable economic growth and requires significant weight to be placed on the need to support economic growth and productivity.
- 6.10 The NPPF provides strong support for sustainable transport modes as a means of supporting sustainable development, stating Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:
- a) the potential impacts of development on transport networks can be addressed.
 - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated.
 - c) opportunities to promote walking, cycling and public transport use are identified and pursued.
 - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
 - e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.
- 6.11 The NPPF also attaches great importance to good design, stating “*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process*”.
- 6.12 The Council strongly envisage that the Order Land acquired for the Scheme will improve sustainable modes of transport along this strategic corridor, with a particular view of supporting the transport needs of allocated sites and reducing the impacts of future development. The Scheme is therefore compliant with National Planning Policy.

National Planning Practice Guidance (PPG)

- 6.13 National Planning Practice Guidance (PPG) adds further context to the NPPF which together has replaced a significant amount of earlier policy and guidance. The PPG includes the following guidance which is of relevance to the Order:
- Guidance on design: process and tools (October 2019) includes a section on how local communities can be effectively engaged in the design of their areas. Undertaking early engagement in this process to ask local people where they felt were the boroughs worst congested routes and junctions shaped the schemes to be included into the CRSTS allocation. Further consultation and engagement exercises for this scheme has been the process that has been used on the Scheme.

- Guidance on the Effective Use of Land (July 2019) advises on the tools that Local Planning Authorities can use to assemble land in support of their planning and development objectives, which includes the powers to acquire land compulsorily or by agreement.
- Guidance on Transport Evidence bases in plan making and decision taking. A robust evidence base enables the assessment of the transport impacts of both existing development as well as that proposed and informs sustainable approaches to transport at a plan-making level. This has included whether this is deliverable. A robust assessment will establish evidence that may be useful in:
 - improving the sustainability of transport provision
 - enhancing accessibility
 - creating choice amongst different modes of transport
 - improving health and well-being
 - supporting economic vitality
 - improving public understanding of the transport implications of development
 - enabling other highway and transport authorities/service providers to support and deliver the transport infrastructure that conforms to the Local Plan
 - supporting local shops and the high street

All of which have been considered whilst undertaking the feasibility and deliverability of the Scheme.
- Guidance on climate change (March 2019) advises how to identify suitable mitigation and adaptation measures to address the impacts of climate change, such as reducing emissions by providing for sustainable transport, which the Scheme is seeking to deliver.
- Guidance on healthy and safe communities (November 2019) states that a healthy place is one which supports and promotes healthy behaviours and environments and a reduction in health inequalities for people of all ages. This is what the Scheme is seeking to deliver.

Local Strategies

- 6.14 The following paragraphs outline how the Scheme aligns with the Council's local strategic aspirations, including reference to the following key policy documents:
- SYMCA – Strategic Economic Plan 2021 – 2041
 - SYMCA – Growth Plan 2025 - 2035
 - Barnsley Local Plan 2019 - 2033
 - Barnsley Council 2030 Strategy
 - Barnsley Transport Strategy
 - Active in Barnsley Strategy 2022-2026
- 6.15 The **Barnsley 2030 Strategy** sets out the Council's long-term vision for Barnsley and how we will work together to achieve it.

Our vision and ambitions for 2030

- In Barnsley we want everyone to have a good life. This means everything from a quality place to call home, to good physical and mental wellbeing and a sense of self-worth through diverse and secure employment opportunities. It's also about having access to the best possible local facilities in a community that values our people and our place.
- Barnsley aims to be an exemplar place to live and a great place to do business. We want to both retain and attract new people and businesses to the area, creating an inclusive and diverse community enriched with skills, knowledge and experiences. We want to meet the needs of today, without compromising the needs of the future and encourage people to connect to each other as well as to our place.

Sustainable Barnsley – Our Ambitions

- People live in sustainable communities with reduced carbon emissions and increased access to affordable and sustainable energy sources.
- People can get around in Barnsley easier than ever, with an increase in cycle routes and better connections across the borough.

The Council's Local Plan

- 6.16 The Local Plan was adopted by the Council in 2019 and sets out the overarching strategic policy and provides a robust base to guide the location and level of development in the Borough to 2033. The Local Plan outlines the quantity and distribution of development that is required in the borough over the plan period.
- 6.17 This is supported by the Strategic Policy LG2 which indicates that the focus for growth is to prioritise land within Urban Barnsley and in the six Principal Towns (Wombwell, Hoyland, Penistone, Goldthorpe, Cudworth and Royston) whilst recognising the need to ensure other settlements within the Borough are able to provide appropriate levels of growth and regeneration critical to maintaining sustainable local communities. Maintaining this settlement hierarchy helps to make the best use of existing infrastructure and to achieve sustainable development.
- 6.18 The Transport Policy Solutions gives clear guidance for the focus of future transport investment for:
- Improving accessibility within the Principal Towns
 - Improving public transport, walking and cycling links between the Principal Towns
 - Improving service links between Urban Barnsley and the Principal Towns to places on the Leeds to Sheffield corridor
 - Ensuring that new development is designed and built to provide safe, secure and convenient access for all road users
- 6.19 Policy T3 New Development and Sustainable Travel (Policy T3) states:
- “New Development will be expected to:*
- *Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists...”*

Where levels of accessibility through public transport, cycling and walking are unacceptable, we will expect developers to take action or make financial contributions in accordance with Policy I1.

It is envisaged that the land acquired for the Scheme will improve sustainable modes of transport along this strategic corridor, with a particular view of supporting the transport needs of allocated sites and reducing the impacts of future development. The scheme is therefore compliant with Policy T3

Also, in accordance with Policy T3, there is a planning condition attached to the consent for the site at Bleachcroft Way for the developer to take action to provide the infrastructure required to widen the site frontage to accommodate the traffic levels expected from that development.

6.20 Policy T4 New Development and Transport Safety (Policy T4) states:

“New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement. If a development is not suitably served by the existing highway, or would create or add to problems of safety or the efficiency of the highway or any adjoining rail infrastructure for users, we will expect developers to take mitigating action or to make a financial contribution to make sure the necessary improvements go ahead. Any contributions will be secured through a planning obligation or planning condition.”

It is envisaged that the land acquired for the Scheme will improve the safety and efficiency for all transport users along this strategic corridor, with a particular view of supporting the transport needs of allocated sites and reducing the impacts of future development. The Scheme is therefore compliant with Policy T4.

Also, in accordance with Policy T4, there is a planning condition attached to the consent for the site at Bleachcroft Way for the developer to take action to ensure that the necessary improvements to the safety and efficiency of the of the junction go ahead.

6.21 Policy T5 Reducing the impact of Road Travel (Policy T5) states:

“We will reduce the impact of road travel by: Developing and implementing robust, evidence based air quality action plans to improve air quality; Working with our sub regional partners, fleet and freight operators to improve the efficiency of vehicles and goods delivery, and reduce exhaust emissions; and Implementing measures to ensure the current road system is used efficiently.”

It is envisaged that the land acquired for the Scheme will reduce the impact of road travel for all transport users along this strategic corridor, by reducing congestion and improving journey times thus improving air quality. The Scheme is therefore compliant with Policy T5.

The Importance of Transport to the Local Plan

- 6.22 Reducing the impact of climate change is a key objective of the Local Plan. In response to this challenge, the accessibility policies included in the Local Plan and the interventions promoted in the Transport Strategy aim to contribute to the reduction in transportation related greenhouse gas emissions.
- 6.23 The overall aim for sustainable travel is firstly to reduce the need to travel, but where travel is necessary to make it easy for people to move between home, work, health, community and leisure facilities by walking, cycling, or where necessary using public transport. We want to reduce the need for individuals with a car to use it for these journeys. We also need to ensure that everybody has a real alternative option, other than the car.
- 6.24 However we recognise that some journeys will need to be made by road, including the movement of freight. Where these journeys are necessary, we want to make sure the existing road network is used more efficiently, supporting a good bus network, allowing public transport, cars and freight to move quickly between their destinations, both within and outside the borough. This will have the added benefit of improving local air quality

Barnsley Transport Strategy

- 6.25 The Transport Strategy has been developed to provide a new approach to tackling our transport issues and to identify the key projects, activities and opportunities needed to help us delivery our Barnsley 2030 Vision and achieve our objectives. Transport is fundamental to our Inclusive Economy and good growth. If we are to address economic inequality, people need to have the right infrastructure in place, along with a range of options to get around the borough.
- 6.26 The Key Projects listed to be delivered during 2020 and 2030 include the A635 Bus Quality Corridor – since renamed as the A633 / A635 Stairfoot Improvement Scheme (the Scheme).

	Smarter Travel – Tackling Congestion	Connecting People to Opportunities
LONG TERM OUTCOMES	- Keeping people / services moving to support the economic prosperity of the borough - People think about their journey and plan sustainable transport trips where possible - Balance demands on the network through effective traffic management	- Ensure people can get to where they want to go - Better integration between modes of travel - Walking and cycling are embedded in our physical landscape - Public transport connects our communities to key destinations
	Congestion	Infrastructure
KEY PROJECTS 2020 - 2030	- Review the traffic modelling evidence to understand the impact of congestion - Support solutions for congestion relief across the borough - Balance the impact on the wider transport network and promote sustainable travel options - Promote sustainable travel options to relieve local congestion hotspots	Work with key public and private stakeholders to support the delivery and secure the implementation of: - A635 Bus Quality Corridor - A628 Bus Quality Corridor - Improvements to bus infrastructure - Active Travel Hubs - Active Travel Corridors - Improvements to the Trans Pennine Trail - Royston / Carlton Relief Road - Highway Improvements in Penistone

- 6.27 Under the heading “Strategic Links” the Strategy states “*Internal connectivity within the borough is also an issue due to the dispersed settlement pattern. Some routes, including the A61, A628 A633 and A635, have been identified as having issues with capacity and delays, and BMBC have been working to make improvements to these corridors*”.

7. Description of the Order Land, Location, Order Maps

- 7.1 The land proposed to be compulsorily acquired (the Order Land) is shown on the maps in **Appendix A (the Order Maps)**. The Order Land is in various locations around Bleachcroft Way, Doncaster Road and Wombwell Lane which are all in close proximity to Stairfoot Roundabout. The Order Land is all located adjoining the A633 (Wombwell Lane) and A635 (Doncaster Road) publicly adopted highways.
- 7.2 Full details of the ownership of each interest in the Order Land is contained in the Schedule to the Order and shown on the Order Maps but in summary the land to be included in the Order.
- 7.3 The Order Maps comprise three plans and identifies the land that is to be subject to compulsory purchase powers for acquisition shown edged red and coloured pink. the areas of land subject to compulsory purchase powers shown edged and coloured blue are for temporary access rights and working spaces.
- 7.4 The Order Land is as described below:
- a) Plot 1 – 24.44 square metres comprising of woodland situate and having frontage on the western side of Grange Lane (A633).
 - b) Plot 3 – 51.19 square metres comprising of grass land situate and having frontage on the western side of Grange Lane (A633) at the junction with Doncaster Road (old road) (A635) situate to the north.
 - c) Plot 4 – 4.78 square metres comprising of grass verge and tarmacadam surface situate and having frontage on the western side of Grange Lane (A633).
 - d) Plots 5 – 5.02 square metres comprising of shrubbery land situate to the southeastern corner of a commercial drive-through, north of Doncaster Road (A635) off the southbound approach to Stairfoot Roundabout.
 - e) Plot 5A - 19.72 square metres comprising of shrubbery land situate to the southwestern corner of a commercial drive-through and having frontage to the northeastern side of Doncaster Road (A635) on the southbound approach to Stairfoot Roundabout.
 - f) Plot 6 - 293.86 square metres comprising of steep shrub planted embankment situated to the southwest of Stairfoot Roundabout circulatory between Hunningley Lane (B6100) and Wombwell Lane (A633) link approach/exit arms.
 - g) Plot 6B - 62.16 square metres comprising of shrubbery land situate and having frontage on the western side of Bleachcroft Way where it meets at the junction of Wombwell Lane (A633) link road.
 - h) Plot 8 - 16.46 square metres comprising of grass land situate and having frontage on the southeastern side of Bleachcroft Way at junction with Wombwell Road (A633) link.
 - i) Plot 10 – 151.28 square metres comprising of commercial forecourt land situate and having frontage on northeastern side of Wombwell Lane (A633).
 - j) Plot 11 – 63.51 square metres comprising of commercial forecourt land situate and

having frontage on northeastern side of Wombwell Lane (A633).

- k) Plot 12 - 58.21 square metres comprising of commercial forecourt land situate and having frontage on northeastern side of Wombwell Lane (A633), adjoining public bridleway 429 (Trans Pennine Trail) access to the northwest.
- l) Plot 14 - 2.61 square metres comprising of grass land situate and having frontage on southwestern side of Wombwell Lane (A633).
- m) Plot 14A - 95.71 square metres comprising of grass land situate and having frontage on southwestern side of Wombwell Lane (A633), northeast of Barnsley Retail Park.
- n) Plot 15 - 183.78 square metres comprising of grass land situate and having frontage on southwestern side of Wombwell Lane (A633), northeast of Barnsley Retail Park.

7.5 In respect of the land shown coloured blue on the Order Maps, only rights over this land for access and a working space is to be acquired compulsorily; the land itself is not to be acquired. These are as follows:

- a) Plot 1A - The right of access and working area within 171.15 square metres comprising of woodland situate on the western side of Grange Lane (A633), south of 1 Grange Lane.
- b) Plot 2 - The right of access and working area within 110.73 square metres comprising of grass land situate to the northern side of Doncaster Road (old road) (A635) adjoining public access path to the northeast, leading to public bridleway 429 (Trans-Pennine Trail).
- c) Plot 6A - The right of access and working area within 176.00 square metres comprising of steep shrub planted embankment situated to the southwest of Stairfoot Roundabout circulatory between Hunningley Lane (B6100) and Wombwell Lane (A633) link approach/exit arms.
- d) Plot 6C - The right of access and working area within 155.00 square metres comprising of shrubbery land situate on the western side of Bleachcroft Way where it meets at the junction of Wombwell Lane (A633) link road signal junction (ATS).
- e) Plot 7 - The right of access and working area within 43.62 square metres comprising of grass land with trees situate on the southeastern side of Bleachcroft Way at junction with Wombwell Road (A633) link.
- f) Plot 8A - A right of access and working area within 23.44 square metres comprising of grass land with trees situate on the southeastern side of Bleachcroft Way at junction with Wombwell Road (A633) link.
- g) Plot 9 - The right of access and working area within 8.05 square metres comprising of grass land situate and having frontage on the southeastern and southwestern corner of Wombwell Lane (A633) heading west onto Stairfoot Roundabout.

- h) Plot 13 - The right of access and working area within 106.68 square metres comprising of overgrown land situate and having frontage on northeastern side of Wombwell Lane (A633).
- i) Plot 14B - The right of access and working area within 53.48 square metres comprising of grass land situate on the southwestern side of Wombwell Lane (A633), lying northeast of Barnsley Retail Park.
- j) Plot 15A - The right for access and working area within 149.81 square metres comprising of grass land situate on the southwestern side of Wombwell Lane (A633), lying northeast of Barnsley Retail Park.

7.6 Copies of the Order documents and of the relevant plans and specifications may be inspected online at <https://www.barnsley.gov.uk/public-notices/>. For hard copies of the documents and relevant plans, members of the public can contact the Transportation team. Hard copies will also be deposited for inspection at the following local libraries:

- Town Hall, Barnsley, S70 2TA
- Library @ the Lightbox, 1 The Glass Works, Barnsley, S70 1GW,
- Cudworth Library, Cudworth Centre of Excellence, Roberts Street, Cudworth, Barnsley S72 8UQ;
- Worsbrough Library, Elm House Estate, Queensway, Worsbrough, Barnsley, S70 5EN; and
- Wombwell Library, Station Road, Wombwell, Barnsley S73 0BA.

7.7 The Council is using the compulsory purchase powers available to it to acquire all interests in the Order Land to facilitate the delivery of the Scheme.

8. Steps taken to Acquire the Land by Agreement

- 8.1 The Order Land is currently owned and occupied by several different owners, lessees and occupiers. Some parcels of the Order Land are also charged to lenders.
- 8.2 In accordance with the MHCLG Guidance, the Council has sought to acquire the Order Land wherever possible by means of agreement. During the preparation of the Order, it has fully considered the MHCLG Guidance, in particular those sections which relate to the acquisition of land by agreement. These are set out below:
- 8.3 What are the benefits of undertaking negotiations in parallel with preparing and making a compulsory purchase order? (Paragraph 17 of MHCLG Guidance)

Undertaking negotiations in parallel with preparing and making a compulsory purchase order can help to build a good working relationship with those whose interests are affected by showing that the authority is willing to be open and to treat their concerns with respect. This includes statutory undertakers and similar bodies as well as private individuals and businesses. Such negotiations can then help to save time at the formal objection stage by minimising the fear that can arise from misunderstandings.

Talking to landowners will also assist the acquiring authority to understand more about the land it seeks to acquire and any physical or legal impediments to development that may exist. It may also help in identifying what measures can be taken to mitigate the effects of the Scheme on landowners and neighbours, thereby reducing the cost of a Scheme. Acquiring authorities are expected to provide evidence that meaningful attempts at negotiation have been pursued or at least genuinely attempted, save for lands where land ownership is unknown or in question.

- 8.4 In accordance with the MHCLG Guidance, all owners and occupiers with an interest in land have been approached to ask if they would be prepared to enter into negotiations with the Council for the voluntary purchase of their respective interests.
- 8.5 Detailed negotiations are taking place with a number of landowners and occupiers; however, the Council has concluded that acquisition by agreement is unlikely to occur in all cases or, in any event, within sufficient time to ensure that the programme for the construction of the Scheme is met. There are also some interests where the owner is unknown and, therefore, it will not be possible to acquire the interest except by way of compulsory purchase.
- 8.6 Discussions will continue with owners of relevant interests and new rights required, in an endeavour to secure them by agreement, wherever possible, with a view to limiting the number of interests which need to be acquired compulsorily under the Order. The approach adopted by the Council is in accordance with the MHCLG policy advice and recognised good practice.
- 8.7 Further information on the status of negotiations to date is set out in paragraph 8.8 onwards below. All known landowners, lessees and lenders of the Order Land have been served with a Section 5A notice. The Council have made diligent enquiries by looking at publicly available information available on the Land Registry and within its own archives plus advertising within the local newspaper (The Chronicle) on 12 June 2026 for anyone who owns or has rights and/or interests in the Order Land to come forward but to date these have been unsuccessful. The Council have relied upon the information available to it from making diligent enquiries.

8.8 The Council has sought to acquire the land and rights required for the Scheme by agreement wherever possible and has made every reasonable effort to do so. With regard to negotiations for each individual plot, the Council has negotiated as follows for permanent acquisition:

- Plot 1 – The Council's offer has been accepted and is currently with legal awaiting exchange of contracts and completion. Planning permission for relocation of advertisement boards 2025/0689 was secured.
- Plot 3 – Unregistered land. The Council have made diligent enquiries by looking at publicly available information available on the Land Registry and within its own archives plus advertising within the local newspaper (The Chronicle) on 12 June 2026 for anyone who owns or has rights and/or interests in the Order Land to come forward but to date these have been unsuccessful. The Council confirms this land is unregistered and the owners are unknown.
- Plot 4 – Unregistered land. The Council have made diligent enquiries by looking at publicly available information available on the Land Registry and within its own archives plus advertising within the local newspaper (The Chronicle) on 12 June 2026 for anyone who owns or has rights and/or interests in the Order Land to come forward but to date these have been unsuccessful. The Council confirms this land is unregistered and the owners are unknown.
- Plots 5 and 5A – The final offer made by the Council on 23 April 2026. A response was received on 27 August 2026 with a counter offer which has been rejected by the Council.
- Plots 6 and 6B – The initial offer was rejected; a revised final offer was made on 30 January 2026 but has neither been accepted or rejected. The leaseholder have not raised any objections to the acquisition.

It should be noted that the current vacant site has an extant planning consent with a condition that requires the applicant/owner of that site to undertake major highway improvements; including widening of the roundabout to facilitate access.

- Plot 8 – Unregistered land. The Council have made diligent enquiries by looking at publicly available information available on the Land Registry and within its own archives plus advertising within the local newspaper (The Chronicle) on 21 June 2026 for anyone who owns or has rights and/or interests in the Order Land to come forward but to date these have been unsuccessful. The Council confirms this land is unregistered and the owners are unknown.
- Plots 10 and 11 – This forms part of an agreed land swap between the freeholder and the Council. The Council are currently carrying out works to provide a hard surface and relocating security fencing. Planning was approved under planning application number 2025/0942 for change of use and relocation of security fencing to facilitate this land swap. However, a variation of planning conditions has been submitted due to changes in fence height and location, with determination expected in October 2026.
- Plot 12 – The Council has agreed a land swap with the freeholder and to relocate the advertisement screens. Planning was approved to relocate the advertisement screens

under planning (2025/0735). The land swap between the freeholder and the Council is with legal awaiting exchange of contracts and completion. The relocation of the advertisement screens will be undertaken at the same time as the Scheme Works.

- Plots 14, 14A and 15 - The Council's offer has been accepted and is currently with legal awaiting exchange of contracts and completion. The Council have agreed compensation for the relocation of the leaseholder's signage pole and surrender of rights within its lease.

8.9 With regards to negotiations for licences granting access rights and a working space, the Council has negotiated the following:

- Plot 1A – The landowner has accepted the offer for the permanent acquisition of Plot 1 and has raised no objection to providing a licence to undertake the works and use of their land as a working space, when required.
- Plot 2 – Discussions with the owner were on ongoing regarding a licence but recent communication has not been responded to.
- Plots 6A and 6C – An offer was made to the freeholder for the acquisition of Plot 6 which included a licence, however, the landowner has neither accepted nor rejected the Council's final offer sent on 30 January 2026. The leaseholder has raised no objections.
- Plot 7 - The permanent acquisition was completed and the landowner has raised no objections to providing a licence when required.
- Plot 8A - Unregistered land. The Council have made diligent enquiries by looking at publicly available information available on the Land Registry and within its own archives plus advertising within the local newspaper (The Chronicle) on 12 June 2026 for anyone who owns or has rights and/or interests in the Order Land to come forward but to date these have been unsuccessful. The Council confirms this land is unregistered and the owners are unknown.
- Plot 9 – The adjacent permanent land has been acquired on 8 May 2026, and the landowner raised no objections to providing a licence when required.
- Plot 13 - The adjacent permanent land has been acquired on 12 March 2026, and the landowner raised no objections to providing a licence when required.
- Plot 14B – The Council's offer for the permanent acquisition of Plots 14 and 14A have been accepted, and the landowner has raised no objections to providing a licence when required.
- Plot 15A – The Council's offer for the permanent acquisition of Plot 15 has been accepted and currently with legal. The landowner has raised no objections to providing a licence when required.

8.10 The Council has considered potential risks to delivery, including remaining land interests, statutory undertakers' apparatus, and outstanding consents. None of these are considered to present a barrier to implementation. The Council has clear strategies in place to address each of these matters within the programme.

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9. Related Orders and Statutory Provisions

The Highway Works

- 9.1 The Scheme is being promoted by the Council as the Local Highway Authority and forms part of a core project for the A633 / A635 strategic corridors. The Scheme has Strategic Outline Business Case approval by the SYMCA and was originally included in the Transforming Cities Fund, now being promoted by the City Region Sustainable Transport Settlement.
- 9.2 Cabinet approval has been granted to the Local Highway Authority to use its powers under sections 239, 240, 250 and 260 of the Highways Act 1980 to acquire land to undertake the highway improvements as described in Section 1 of this Statement, this is in addition to any land required for the purpose of mitigating any adverse effects of the improvements.

10. Delivery, Viability and Funding

- 10.1 Paragraph 14 of the MHCLG Guidance sets out the elements that will be considered by the Secretary of State when confirming an Order and requires that evidence is provided as to the sources and timing of funding.
- 10.2 The total funding allocation for the Scheme is £28,063,047, which is funded from SYMCA through the City Region Sustainable Transport Settlement. The advance land acquisition costs have been funded from the initial development funds released by SYMCA at the Outline Business Case stage. The delivery of the scheme is expected to come in within the delivery allocation budget of £24,563,047 with any cost overruns to be picked up through underspend on other CRSTS schemes or by reallocating some of BMBCs CRSTS allocation.
- 10.3 A Land Cost Estimate was commissioned from independent valuers, Align Property, with the total estimated value for the remaining unagreed acquisition of land and property being assessed at approximately £415,000.00, based on current market conditions.
- 10.4 The Council has given proper consideration to potential blight claims being received by affected owners and occupiers. Based on the information currently available, it is considered unlikely that any claims received would meet the minimum criteria set out within the statutory provisions.
- 10.5 The Council's programme anticipates that the works will commence on site in Autumn 2026, with a completion date in late 2027. Accordingly, the Council is satisfied that there is a reasonable prospect that the Scheme will proceed if the Order is confirmed.

Timescales for Implementation

- 10.6 The Council will continue to negotiate as far as possible and reasonable with the remaining parties with an interest in the Order Land but would hope to be in a position that remaining land and property rights have been acquired (or the terms of the acquisitions agreed and progressing through detailed legal agreements) via negotiation prior to the end of August 2026.
- 10.7 The nature of the existence of land within unknown ownership and the issues surrounding the offers which have been rejected and those which have not accepted nor rejected to convey land in a timely manner means that an Order will be required over these parcels as a minimum.
- 10.8 If there are no objections to the making of the Order, and the Order is confirmed by the Secretary of State, this would likely result in the implementation by the end of October 2026, allowing the tender documents to be released and a construction contract for the works to be awarded by the end of February 2027. Works would then commence on site at the start of April 2027, with an anticipated completion date around 12 to 18 months later.

Conclusion

- 10.9 The Council is satisfied that, in accordance with Paragraph 14 of the MHCLG Guidance, the Scheme has available all relevant resources to enable delivery, the necessary funding can be provided and, as set out above, it is financially viable.

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- 10.10 If the Order is confirmed without the need for a local public inquiry, the delivery of the Scheme will be brought forward to the earliest opportunity. The target completion for delivering the Scheme is 12 – 18 months from commencement on Site.
- 10.11 The Council is satisfied that the Scheme is deliverable within a reasonable timescale. The land assembly process is well advanced, funding is secured, the Scheme has reached an advanced stage of design, and no impediments have been identified which would prevent implementation.

11. Human Rights Act and Public Sector Equality Duty

- 11.1 In deciding to make the Order the Council has taken into account the provisions of the European Convention (the Convention) on Human Rights and the Human Rights Act 1998, and in particular section 6 of the Human Rights Act 1998, which prohibits public authorities from acting in a way which is incompatible with the European Convention.
- 11.2 The Council has concluded as a result of this assessment that the making of the Order to facilitate the Scheme does not unlawfully derogate from or constitute any unlawful interference with relevant human rights protected by the Convention. These are rights under Article 1 to the First Protocol, and Article 6, and have been considered by the Council as they relate to the compulsory purchase of interests in the Order Land of various adjacent landowners and interests.

Article 1 to the First Protocol

- 11.3 Paragraph 11 of the MHCLG Guidance draws particular attention to the provisions of Article 1 of the First Protocol to the Convention.

The main provisions of Article 1 relevant to the current context are that:

- *"Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law".*
 - *"The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest"*
- 11.4 The Council considers that compulsory purchase of the Order Land is necessary given the dearth of alternatives to securing title in a timely fashion to the comprehensive interests in land required for the Scheme, and that if there is interference with rights by acquisition of the Order Land, the public benefit of the Scheme will outweigh any private loss arising from the acquisition.
- 11.5 This is particularly so given that landowners and persons directly affected by the Order will also be entitled to full compensation for any property acquired from them compulsorily, may have the right to compensation for other losses, and may in some instances have the benefit of rights over the public highways to be constructed, or, in the case of existing services, new rights to be agreed.
- 11.6 The Council considers therefore that there will be no violation of the rights of such persons under Article 1 to the First Protocol, as the steps taken are lawful, in the public interest, and proportionate.

Article 6 of the Convention

- 11.8 Article 6 provides that:

- *"In the determination of his civil rights and obligations or of any criminal charge against him everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law".*

- 11.9 The Council notes that the statutory procedures require all those likely to be affected by the Order are notified and given an opportunity to object. If there are objections, the Secretary of State will arrange a public local inquiry (or other forum) so that objections can be heard. The legislation also provides for statutory challenge in the High Court to the decision of the Secretary of State on confirmation of the Order. Finally, if the Order is confirmed and becomes operative those persons directly affected by the Order may refer disputes about compensation for hearing at the Lands Chamber of the Upper Tribunal.
- 11.10 In the Council's opinion, the steps available to landowners and other affected parties satisfy the requirements of Article 6.

Proportionality and Human Rights Summary

- 11.11 In considering the proportionality of the action of making the Order, the Council has amongst other things borne in mind the following considerations.
- That no more land than is required to facilitate the Scheme has been included in the Order.
 - That there is no viable alternative in a foreseeable period to obtaining title to the Order Land other than by way of compulsory purchase.
 - That acquisition of title to the Order Land is necessary to facilitate the Scheme, as other legal procedures would not provide clear and secure methods of adoption of the required parts of the Scheme.
 - That the Order would be made under a statutory procedure with built-in safeguards that protect the rights of landowners and other persons.
 - That acquisition of the Order Land is necessary in the interests of the social and economic well-being of the Council's area.
- 11.12 All of those persons whose rights under Article 1 of the First Protocol of the Convention will have an opportunity to object to the Order and to have their objection considered at a fair and public forum, in accordance with their rights under Article 6 of the Convention.
- Landowners and other persons with a property or similar interest in the Order Land will be entitled to proportionate compensation.

Equalities Considerations

- 11.13 The Council has considered in making the Order its duty, as a public authority, under 149 of the Equality Act 2010 (known as 'the public sector equality duty'), in the exercise of all its functions, to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
 - advance equality of opportunity between persons who share a "relevant protected characteristic" and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.14 MHCLG guidance (2019), paragraph 6, says that:
- *"Throughout the compulsory purchase process acquiring authorities must have due regard to the need to:*

- *eliminate unlawful discrimination, harassment, victimisation;*
- *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and*
- *foster good relations between persons who share a relevant protected characteristic and persons who do not share it. In performing their public functions, acquiring authorities must have due regard to the need to meet these three aims of the Equality Act 2010.”*

- 11.15 Having considered the Order and the Scheme in relation to the public sector duty, the Council considers that the Order Land, if acquired, will facilitate safer and easier access on the A633 (Wombwell Lane) and A635 (Doncaster Road) and in particular around Stairfoot Roundabout at Bleachcroft Way for all persons for a range of users, on foot, of whatever ability, and/or with bicycles, or motor vehicles. Once delivered, the Scheme will improve journey times on this route and facilitate accessibility to the public transport system for those people without access to cars, or who are mobility impaired. The Scheme and the making of the Order are therefore expected to have a positive impact in terms of the Council's equalities obligations, with no adverse equality's impacts being foreseen. The Council is also fully aware of its equality's duties during the compulsory purchase process, for example with regard to access to documents, premises, and informal advice. Copies of this Statement, the Order, the Order maps, notices, and other documentation as and when it is publicised, will be available for download from the Council's website, can be requested in hard copy by post or viewed at the local libraries as set out in paragraph 7.6 to this Statement.
- 11.16 The Council has given consideration as to whether a full Equality Analysis is advisable in relation to the impact of the making of the Order on protected groups, and considers this is unnecessary. However, in line with the Council's protocol an Equality Impact Assessment (**Appendix I**) has been undertaken. (The position will be monitored and reviewed as necessary during the compulsory purchase process.)
- 11.17 Having regard to its duty under section 149 of the Equality Act 2010, the Council believes therefore that there is in the public interest a compelling and sufficient case for making of the Order.

12. Special Considerations

- 12.1 In accordance with the New Roads and Street Works Act 1991, the Council believes it has identified all rights of statutory undertakers affected by the Order. To determine if they are affected by the Scheme and where the proposed Scheme Works will interfere with any existing utilities or services in or around the vicinity of the Order Land, the Council have issued Category 3 (C3) notices to all utility companies whose apparatus may be affected by the Scheme Works. Responses were received from all statutory undertakers who were affected. Following this, The Council has requested Category 4 (C4) notices. The only outstanding C4 is Yorkshire Water (mains) and Zayo. The Council will relocate the rights and apparatus if affected.
- 12.2 Traffic Regulation Orders (TROs) will be required to introduce new and amend existing speed limits, to prohibit or restrict parking and waiting of vehicles and to prohibit or restrict the loading and unloading of vehicles. The TROs are in the process of being made and are not considered an impediment to the delivery of the Scheme.

Protected Assets

- 12.3 The Council's website contains a mapping system on the Local Plan page which shows the planning status of all land in the Borough (the Local Map). It shows that no land within the Order Land is affected by any special consideration as a protected asset, either as:
- a listed building, an unlisted building within a conservation area or a building subject to a building preservation notice; or
 - a scheduled monument or a registered park or battlefield; or
 - there are no tree preservation orders.
- 12.4.1 The Local Map shows no part of the Order Land is within a Conservation Area nor forms part of a common, village green, open space land or allotment.
- 12.5 The title documents available to the Council show there is no land within the Order Land that:
- is owned by another local authority;
 - is Crown land; or
 - is owned by the National Trust.
- 12.6 The order land is within the Dearne Valley Green Heart Nature Improvement Area (NIA), a non-statutory landscape-scale designation established in 2012 to deliver a step-change in biodiversity by restoring the ecological networks of the River Dearne, its floodplain, and linking habitats (as identified in the Barnsley Local Plan and the Biodiversity and Geodiversity Supplementary Planning Document 2024).
- 12.7 The Scheme Works at Stairfoot Roundabout (excluding the Grange Lane NMU bridge replacement) comprise permitted development and therefore do not require planning permission. As such, they are exempt from the statutory Biodiversity Net Gain requirement under the Environment Act 2021. Nevertheless, the Scheme has been designed to avoid any adverse impact on the NIA objectives and will incorporate biodiversity enhancements that deliver an overall net gain in biodiversity.

- 12.8 However, it should be noted that the Grange Lane Bridge area and the change of use planning application (planning application ref. 2025/0942) were subject to an individual BNG Assessment through the planning process.
- 12.9 The separate Grange Lane NMU bridge replacement (planning application ref. 2025/1092) was subject to the full planning process and its own individual Biodiversity Net Gain Assessment, which demonstrated compliance with the statutory requirement.
- 12.10 Part of Plot 13 comprises greenspace. The Council requires only temporary possession and temporary working rights over Plot 13 being approximately 106.68 square metres of this land for the purposes of a working space and access to carry out the Scheme Works.
- 12.11 The temporary possession will be limited to the construction phase only and is expected to last no longer than 3 months in this location. The land will be restored to its former condition (or better, with biodiversity enhancements consistent with the Dearne Valley Green Heart NIA) upon completion of the works. Only a small proportion of the greenspace will be affected at any one time, and the remainder will remain open and accessible.
- 12.12 The Council has assessed the impact and is satisfied that there will be no serious detriment to the users of the land or to the character of the greenspace and therefore no parliamentary procedures need to be engaged and further this will not impede the implementation of the Scheme.

13. Conclusion

- 13.1 This Statement explains the Council's reasons for making the Order, and in particular why, in the Council's opinion, there is a compelling case in the public interest to do so. It is considered that the Order does not constitute any unlawful interference with individual property rights. The compulsory purchase process enables objections to be submitted and a local public inquiry to be held to consider those objections.
- 13.2 The Order is made to secure title to land currently in a range of different ownerships and tenures, which land is required to facilitate the provision of the Scheme. The Council, as part of its land assembly strategy, continues to acquire land by agreement where possible, notwithstanding the making of the Order.
- 13.3 The Scheme is pursued by the Council as the undertaker and facilitator of a range of highway functions, including the realignment of highway, provision of active travel routes and bus priority measures. Consequently, the Order is made under sections 239, 240, 250 and 260 of the HA1980 as the appropriate enabling power.
- 13.4 With regard to necessary permissions, consents, and highway matters it is considered that there are no legal impediments to the Scheme Works and the decision to develop the comprehensive scheme has already been taken and funding committed. The confirmation to deliver the Scheme is anticipated to be forthcoming in 2026.
- 13.5 The economic, social and environmental benefits of the Scheme are shown to be significant. Taking the obvious public benefit of the Scheme into account, together with funding, timetable, and the likely lack of legal impediments, and balancing these against possible reasons for not proceeding, in particular the human rights of landowners and other persons affected, the case for the Order is considered compelling.
- 13.6 As set out within this Section 12 of this Statement, the Council considers it has demonstrated that there is a compelling case in the public interest whereby the public benefit will outweigh any private loss. Interference with rights under the European Convention on Human Rights (as further set out in Section 10 of this Statement) is considered to be justified, in order to secure the benefits that the Scheme will bring.
- 13.7 The parties directly affected by the Order will be entitled to compensation in accordance with the Compensation Code, which is the collective term used for the principles set out in the Land Compensation Act 1961, the Compulsory Purchase Act 1965, the Land Compensation Act 1973, the Planning and Compulsory Purchase Act 1991 and the Planning and Compulsory Purchase Act 2004. This is supplemented by case law relating to compensation for compulsory purchase, and the recent provisions relating to compulsory purchase contained in the Housing and Planning Act 2016 and the Neighbourhood Planning Act 2017.
- 13.8 All of the Order Land is required in order to deliver the Scheme, and there is no certainty that the necessary land and interests can be assembled by agreement within a reasonable period. As such, the Order is necessary to deliver the Scheme, although efforts to acquire all interests by negotiation will continue in parallel, both up to the making and confirmation of the Order, and also post confirmation, prior to its implementation.

14. Lists of Documents

LIST ALL APPENDICIES HERE

Appendix A – Order Maps A, B, & C

Appendix B – Scheme Plans 1 and 2

Appendix C – OBC

Appendix D – Survey and Cabinet Report

Appendix E – OAR

Appendix F – Linsig Reports

Appendix G – Aimsun Report

Appendix H – Planning approvals / validations

Appendix I – Equalities Impact Assessment