

OFFICER DELEGATION SCHEME RECORD OF DECISION

Date: 16 th April 2026	Ref No: PLACE BGI 250
Responsible Officer: Richard Spensley (Major Projects Manager, Regeneration Delivery, Place Directorate)	
Title/Subject matter: Northern Gateway Western Access scheme : Land Acquisition Strategy - Appointment of the Legal Specialist Lead Advisor including supporting Legal Professional Team and Approval to raise an associated Purchase Order.	
Budget/Strategy/Policy/Compliance:	
(i) Is the decision within an Approved Budget?	Yes
(ii) Is the decision in conflict with the Council's policies, strategies or relevant service plans?	No
(iii) Does the decision amend existing or raise new policy issues?	No
Is publication still required? (see guidance)	Yes

Item for decision:

The Western Access scheme (Pilsworth Road Corridor Improvements) will provide the necessary off-site, highway and transportation infrastructure required to access the early development phases of the Northern Gateway Investment Zone (IZ) site (*Place for Everyone Plan*, JPA 1.1 allocation). The construction of the Western Access scheme will benefit the entire IZ site and create the potential capacity to unlock circa 600,000 sq/m employment generating uses, including advanced manufacturing commercial floor space.

In line with the strict timeframes and requirements of the Western Access scheme Investment Zone Grant Funding Agreement approved by Cabinet in November 2024, the construction delivery stage of the Western Access scheme is required to commence during 2027 and complete during 2029.

In order to achieve these challenging grant funding milestones, the Western Access scheme's Main (Design & Build) Contractor - Balfour Beatty Civil Engineering Ltd - was appointed by the Council in May 2025 and since that date, has been working at pace to progress Pre-construction related activities in conjunction with its Design Partner (Sweco).

To date, these Pre-construction activities have included developing the Western Access scheme's draft Outline Business Case, and undertaking scheme optioneering, modelling and initial design work which culminated on 15th January 2026 at the Northern Gateway Strategic Board with the collective endorsement by all the key public stakeholders of the scheme's Preferred Way Forward (PWF) ie. proof of concept design, including the scheme's 'red line' boundary.

Since mid-January, work has continued to progress at pace with the completion of the scheme's Concept Designs (RIBA 2 stage), and the Council and Balfour Beatty finalising and signing the Main Construction Contract in mid-March 2026 which will cover project activities across all the remaining Pre-Construction stages of the scheme and subsequent Construction Delivery stage.

The approval of the Preferred Way Forward (PWF) and production of the scheme Concept Designs represents a major Pre-construction milestone for the project because this will now enable the scheme's Preliminary Designs (RIBA 3 stage) to be developed, more detailed transport modelling to commence and the scheme Outline Business Case to be finalised during 2026. This next stage of pre-construction activity has now started in line with the Main Contract.

Importantly, the identification of the PWF and accompanying 'red line' boundary will also now allow a number of key parallel scheme workstreams to commence. Critically, this includes the development and implementation of a Land Acquisition and CPO Strategy for the Western Access scheme. This workstream can now start because the PWF (proof of concept design), its accompanying 'red line' boundary and the associated scheme Concept Designs provide a more clearly defined scope to the scheme and in doing so, will now allow the accurate identification of the number and extent of 3rd party / private landownerships

which will be impacted by the scheme and which may also potentially be required to be publicly acquired for scheme delivery.

To avoid any delays as the scheme continues to move forward through the remaining Pre-construction stages that includes the finalisation of the Outline Business Case and production of Preliminary Designs during 2026, and ultimately to avoid delaying the delivery of the scheme construction stage in line with the agreed Investment Zone grant funding deadlines, the development and implementation of a Land Acquisition Strategy for the Western Access scheme is now needed to be progressed without delay.

As a pre-cursor to the development and implementation of the Land Acquisition Strategy, the timely appointment of an external Legal Specialist Lead Advisor including its supporting Legal Professional Team is therefore now required.

Due to limited internal legal resources at the present time and the lack of availability of the necessary technical expertise within the Council, a sufficiently experienced and expert external Legal Specialist Lead Advisor and supporting Legal Professional Team (incorporating land referencing and valuation/surveying specialisms) is required to be commissioned.

Working closely throughout this commission with the Council's Major Projects Team, Economies and Environment Legal Team and the Western Access Main Contractor (Balfour Beatty), the Legal Specialist Lead Advisor with the support of its specialist professional team, will be responsible for the overall co-ordination, development and implementation of the Land Acquisition Strategy.

As a basis for commencing the procurement of a Legal Specialist Lead Advisor, a comprehensive set of requirements was prepared by the Western Access Project Team in conjunction with the Council's Economy & Environment Legal Team and in consultation with Balfour Beatty/ Sweco.

In summary, these detailed requirements encompass the following activities:

1. The appointment of a Legal specialist Lead Advisor who will be responsible for leading the day-to-day co-ordination, development, production, implementation and monitoring of a Land and Property Acquisition Strategy for the Northern Gateway Western Access scheme;
2. The Legal specialist Lead Advisor and professional team to provide a brief written outline of their proposed approach to developing and implementing the Land and Property Acquisition Strategy, which will also be discussed with the Client during the initial Inception meeting;
3. The Legal specialist Lead Advisor will be responsible for assembling and effectively managing a professional team that will be required to include the appropriate Legal, Land Referencing and Surveying/ Valuation specialisms;
4. Advise and initiate a programme of "twin tracking" activities that support (i) the negotiated Voluntary Acquisition of land and property, but which is (ii) backed up by an appropriate CPO process;
5. Advise and identify appropriate CPO route including consideration of the emerging Atom Valley Mayoral Development Corporation (MDC) and its enhanced land assembly / vested CPO powers;

6. At the outset of this Legal commission, accurately identify and map all up-to-date legal interests, occupiers, rights and restrictions etc which are impacted by the scheme, including a review of the *"Northern Gateway Western Access Transport Link"* title report (May, 2025);
7. Provide Landownership Titles (red line boundaries) in DWG (CAD) file format to Balfour Beatty/ Sweco;
8. The Legal Advisor to review and confirm the legal sufficiency of the land take red line provided by the Contractor, ensuring consistency with land interests, statutory requirements, and evidence;
9. Advise and undertake land and property Valuations that will be required to support and inform Land Acquisition Strategy twin tracking activities which simultaneously seek to (i) negotiate and secure the Voluntary Acquisition of any land and property, and (ii) which are also fully compliant with the legal requirements and progression of a chosen CPO process. These valuations will also support the development of a land acquisition budget for the scheme;
10. Prepare and undertake an on-going programme of proactive engagement and consultation activities with all identified legal interests who have been identified and whose interests will impact the scheme proposals and / or be impacted by the scheme proposals. This includes those legal interests whose land and property will need to be (i) permanently acquired for the delivery of the scheme, (ii) required to facilitate any temporary works and (iii) required to be surveyed and / or accessed to support scheme Pre-Construction activities undertaken by Balfour Beatty/ Sweco;
11. Working with the Main Contractor (and its Design Partner/ sub-consultant team), consideration of statutory orders which may be required (such as any Side Road Orders, Bridge Orders) and advice on how to take these forward in terms of process and timescale;
12. CPO mapping to be produced by the Contractor (Sweco/BB), with legal advisor providing land referencing, titles, and statutory compliance review;
13. Preparing draft CPO Statement of Reasons, and schedule of interests prepared by Land Referencing Agent;
14. Support the Client with drafting In Principle report for CPO (to incorporate draft Statement of Reasons) for approval, including by District Cabinet(s);
15. Provide Legal review of all formal letters/ correspondence and notices drafted by Land Referencing Agents for publication in newspapers and for CPO service;
16. As necessary, attending conference with Counsel if required to discuss CPO route, activities/ requirements;
17. Serving the CPO and associated documents and submitting the CPO to the Secretary of State for confirmation;
18. Support the Client with drafting Final report seeking authority including from Districts' Cabinet(s) - to proceed with a CPO if necessary;
19. At the outset of the commission, clarify and agree with the Client, the nature, extent and timing of any specialist Council Support that may be required from the Districts by the Legal specialist Lead Advisor, in order to assist with Voluntary Acquisitions, CPO and other activities included with this Legal commission. This specialist support could potentially include, for example, the following Council services/ functions:
 - Legal
 - Land and Property
 - PROW
 - Highways/ Bridges/ Structures

○ Planning

The procurement of the Legal Specialist Lead Advisor commission was co-ordinated by the Council's Economy & Environment Legal Team and the North West Legal Consortium (NWLC) Public Sector Framework was utilised.

An Operation Decision form was signed by the Council's Director of Regeneration and Project Delivery on 28th January 2026 to authorise the legal instruction to commence the above procurement of a Legal Specialist Advisor and its associated specialist professional team. The commencement of the procurement was approved by the Council's Director of Law & Governance.

Following the clear advice received from the Council's Procurement Team prior to commencing the procurement, it was agreed that in the first instance, due to the urgent need to expedite the procurement (given the extremely challenging programme timeframes), and given their prior experience and knowledge of the Western Access scheme (including the production of a detailed land and property title report during May 2025), the legal practice DWF should first be approached and invited to submit a detailed fee proposal of estimated costs for undertaking the commission in full compliance with their competitively tendered NWLC Framework fee rates.

DWF's detailed fee proposal was received by the Council on 6th March and has been subsequently reviewed by the Council's Legal Team, Procurement Team and Major Projects Team to ensure full compliance with the requirements of this key commission, the Council's procurement regulations, and to ensure that the fee proposal represents value for public money in compliance with the NWLC Framework's competitively tendered rates.

The DWF fee proposal is summarised below:

Land Acquisition Strategy - **£20,000**
Title Investigations/Land Referencing/Report - **£40,000**
Property Cost Estimate - **£15,000**
Individual plot valuations for acquisition - **£20,000**
Prepare & issue land access - **£7,500**
CPO Strategy Advice - **£10,000**
Statement of Reasons - **£10,500**
CPO Schedule - **£30,000**
In principle CPO resolution report - **£4,500**
Draft Making of CPO, landowner notices and press notices - **£2,200**
Attend conference with Counsel - **£5,000**
Support drafting Final CPO report - **£2,250**
Serve the CPO - **£10,000**
CPO Project Management @ 12 months - **£60,000**
Engagement and consultation with affected parties @ 12 months - **£60,000**
Total £295,950 (*exc. VAT and any recoverable disbursements inc. accommodation, sustenance, travel expenses*)

Funding for this Land Acquisition Strategy commission will be paid for utilising the £10M Investment Zone (IZ) grant funding allocation which specifically

supports the Western Access scheme delivery over a 5-year funding period between 2024/5 and 2028/9, including undertaking all pre-construction related activities, such as land assembly. It should also be noted that in November 2025, GMCA also provided its written confirmation to the Council that GMCA financial capacity will be used to fund the continued pre-development cost requirements for Western Access and thereby allowing the £10M IZ grant funding to be provided in line with the cashflow needs of the project. The cost of the land acquisition commission (£295,950 exc. VAT and disbursements) which will also be reflected in the associated Purchase Order value, will therefore be covered by this £10M grant funding amount and will be charged to the existing budget code for the Northern Gateway Western Access scheme.

It should also be noted that in addition to the £10M IZ grant funding, in March 2026, Bury Council has also secured a £52.1M grant funding contribution from GMCA's Good Growth Fund towards the costs of the delivery of the Western Access scheme.

Upon appointment, the day-to-day co-ordination and management of the Legal specialist Lead Advisor and its professional specialist team (comprising Montague Evans and Terraquest who will provide the respective valuation/surveying, land referencing specialisms), will be undertaken by the Major Projects Team who is responsible for the overall co-ordination of the Western Access scheme.

It should also be noted that the appointment of DWF in this capacity to co-ordinate, develop and implement the Western Access Land Acquisition Strategy, does not give rise to a subsidy within the meaning of the Subsidy Control Act 2022. The services are procured at market rates through an established public sector framework (NWLC).

The appointment supports the timely delivery of critical pre-construction activities and does not pre-determine any future decision to proceed with compulsory purchase powers, which would be subject to separate statutory and governance approvals.

Options considered:

Option 1 (recommended option) – Approve the appointment DWF as the Legal Specialist Lead Advisor and its supporting professional specialist team (comprising Montague Evans and Terraquest), and approve the raising of an associated Purchase Order for £295,950 (exc. VAT and disbursements) in line with the summary of the Fee Proposal which is outlined in this Operation Decision Form, in order to expedite the development and implementation of a Western Access scheme Land Acquisition Strategy. This is now urgently required in order to continue to meet the challenging grant funding requirements and milestones relating to the completion of the scheme's Pre-construction stages and for the scheme's construction delivery stage. In this regard, the costs associated with this legal commission will be covered by the Investment Zone grant funding that has been allocated specifically to the Western Access scheme

to support the scheme's Pre-construction costs and contribute towards the delivery costs.

Option 2 – Delaying the approval of the appointment of the Legal Lead Specialist Advisor to commence the development and implementation of the Western Access Land Acquisition Strategy will in turn delay a number of interdependent, key activities that are currently being planned by the Main Contractor and which will be required to be undertaken and completed during the current Pre-construction stage. Importantly, these include undertaking a comprehensive programme of on-site non-invasive surveys and on-site invasive ground investigations all of which will require prior communication and agreement with third party, private landowners and access to their land. Moreover, delaying the appointment of the Legal Lead Specialist Advisor will ultimately create risk to the project, add extra cost due to scheme prolongation and delay with respect to the timely completion of the scheme's Pre-construction stages during 2026 and into 2027, and by so doing, will delay the start of construction delivery and thereby jeopardise the Investment Zone grant funding that has been allocated to the scheme in line with the challenging requirements of the IZ grant funding agreement.

Decision

It is recommended that the appointment of DWF as the Legal Lead Specialist Advisor, and the approval to raise the associated Purchase Order for the value of £295,950 (exc. VAT and disbursements) is now authorised and formalised via this Operational Decision.

Decision made by:	Signature:	Date:
Authorised Officer: Chief Executive		22 nd April 2026
Authorised Officer: Executive Director		
Authorised Officer: Approved / reviewed Director		
Member Consulted (only if applicable) [see note 4 below]		

Notes 1. In most cases a single signature is required in accordance with the Table below. 2. The form must be published if expenditure is over £100K. However, this must be after all the required contract documentation has been completed. This is to avoid publishing exempt confidential information. 3. A report to Cabinet must be made if expenditure is over £500K. 4. In a small number of cases in accordance with the requirements of the Officer Delegation Scheme, consultation is required from the appropriate Cabinet Member who must sign the form to confirm that they have been consulted and that they agree with the proposed action. Please refer to the Guidance. 5. This form must not be used for urgent decisions. 6. Where there is any doubt officers should always err on side of caution and seek advice from Democratic Services, the Monitoring Officer or Corporate Procurement where applicable.		

EXPENDITURE APPROVAL TABLE

Approval Limit	Approval By	
Over £500,000	Cabinet.	
Over£250,000 to £500,000	Chief Executive	
Over£100,000 to £250,000	Executive Director	
Over £50,000 to £100,000	Director/Assistant Director	
Over £10,000 to £50,000	Head of Service	

Up to £10,000	Service Lead	
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