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Our ref FRW/JYK/XXX1
Your ref NATTRAN/NW/HAO/316

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29 December 2025

Dear Ms Peacock

**THE SEFTON METROPOLITAN BOROUGH COUNCIL (MARITIME CORRIDOR)
COMPULSORY PURCHASE ORDER 2025 ("Order")**

1 Introduction

- 1.1 We write on behalf of Aubrey and Rachel Weis.
- 1.2 In the schedule to the Order made by Sefton Metropolitan Brough Council (**Council**), Mr and Mrs Weis are referred to in table 1 at number 20, as the owner of
- "All interests in 693.4 square metres of grassland; south of Bridle Way and east of Bridle Road excluding mines and minerals (MS534389 - Freehold) (MS38529 – Leasehold)".*
- 1.3 Mr and Mrs Weis previously objected to the Order, via Axis Property Consultancy. These objections are maintained. Further, Mr and Mrs Weis have obtained expert highways evidence, from Mike Hibbert of TTHC Limited. The report from Mr Hibbert is attached to this letter. Please note that, since the report does not exceed 1500 words, we have not included a written summary from Mr Hibbert.
- 1.4 We do not seek to repeat the evidence from Mr Hibbert but wish to reiterate the following points on behalf of Mr and Mrs Weis.

2 Alternative Schemes

- 2.1 The report from Mr Hibbert clearly explains that the Council has failed to both: (i) consider alternative schemes; and / or (ii) alternative means of achieving the objectives of the scheme which involve less land-take or less interference with third party landowners.
- 2.2 In paragraph 21, Mr Hibbert states that:

"TTHC has considered potential alternative schemes which would avoid the need for landtake from the client's site. In the summary, these are as follows:

- *Widen the carriageway/take land from the north side of Bridle Road*

- *Extend the shared footway/cycleway 140m to the west (across the site frontage where land is proposed to be taken)".*

- 2.3 Alternative schemes are shown at appendix B to Mr Hibbert's report.
- 2.4 We have seen no evidence that any reasonable alternatives have been considered by the Council. The Statement of Reasons does not identify any other alternatives, which would avoid unnecessary land-take. The Guidance on the Compulsory Purchase Process (**CPO Guidance**) makes clear a compulsory purchase order should only be confirmed where there is a compelling case in the public interest. Part of demonstrating this includes showing that:
- 2.4.1 The purpose of the Order cannot be achieved by less intrusive means.
- 2.4.2 The acquiring authority has properly considered alternative proposals that might avoid or reduce the need for compulsory acquisition.
- 2.5 In the absence of the thorough examination of alternative options, the Council will be unable to demonstrate there is a compelling case in the public interest which justifies the compulsory acquisition of Mr and Mrs Weis' land.
- 2.6 At paragraph 8.57 of the CPO Report for the London Borough of Haringey (Northumberland Development Project (No.1) Compulsory Purchase Order 2012, the Inspector concluded that *"having regard to the CPO Circular, the public benefit must, on merit, outweigh the private loss such as to justify the interference with Human Rights. Factors should include the planning framework, the well-being of the area, financing, and whether alternatives exist. There should be negotiation wherever practical. Further, at paragraph 8.58 of this CPO Report, the Inspector concluded that in this case, "the benefits would not outweigh the interference with the specific human rights under the ECHR, in which case the Order should not be confirmed."*¹
- 2.7 In this case, confirming the CPO would not be proportionate to Article 1 of the ECHR (human rights to peaceful enjoyment of property) and thus should not be confirmed.

3 Inadequate evidence base

- 3.1 Mr Hibbert highlights at paragraph 6 that:
- "TTHC has not had access to Autocad drawings, where dimensions can be accurately measured. No swept path tracking plots showing vehicle movements into and out of junctions and accesses appear to have been provided as part of the Council's consultation. TTHC has also not had sight of any junction modelling or Road Safety Audit."*
- 3.2 There are clear evidential gaps in the case presented by the Council. The Council has not disclosed Autocad drawings, which would allow objectors to accurately measure the dimensions shown on the various plans. This is important in ensuring transparency and allowing impacted parties to fully understand the scheme that is being promoted by the Council.

¹London Borough of Haringey (Northumberland Development Project (No.1) Compulsory Purchase Order 2012 – Inspector's CPO Report dated 24 September 2013 https://data.parliament.uk/DepositedPapers/Files/DEP2015-0230/223452-223453_Slaughter_-_Northumberland_Dev_P_Inspectors_Report.pdf

- 3.3 Further, the Council does not appear to have undertaken the assessments required to properly analyse the impact of the proposed scheme on highway capacity and safety. This is a significant failure. In the absence of such work, the Council will be unable to demonstrate that the compulsory acquisition is justified – as they will not have properly tested and evaluated the potential impacts of the scheme.

4 Steps taken to acquire land by agreement

- 4.1 The Council is required to demonstrate it has taken reasonable and meaningful steps to acquire Mr and Mrs Weis' land by agreement (see tier 1, stage 3, paragraph 17 of the CPO Guidance). The Council has not set this out to date and is put to strict proof on this point. In the absence of such evidence, the Council will be unable to demonstrate that the compulsory acquisition of the land included in the Order is either proportionate or justified.
- 4.2 Mr and Mrs Weis' reserve the right to comment further, should the Council submit further evidence to address this issue.

5 Conclusion

- 5.1 In confirming a compulsory purchase order, the Secretary of State must consider:
- 5.1.1 Is the land truly required?
 - 5.1.2 Is there a compelling case in the public interest for taking *this* land?
 - 5.1.3 Could the scheme still be delivered without it?
- 5.2 For the reasons set out above, and as detailed in the report of Mr Hibbert, we consider the Council has failed on all three of these points and that the Order should not be confirmed.
- 5.3 Please confirm receipt of this letter and the attached report from Mr Hibbert.

Yours sincerely

Walker Morris LLP

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Encs.

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