

## WRITTEN STATEMENT OF A KEY DECISION CABINET

<b>ITEM:</b>	<b>EDGAR STREET GRID LINK ROAD AND URBAN VILLAGE</b>
Members Present:	Councillors: JG Jarvis (Leader), AJM Blackshaw, H Bramer, PM Morgan, PD Price (Deputy Leader), DB Wilcox
Date of Decision:	14 June 2012
Exempt:	No
Confidential	No
This is a key decision because It is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.	
The item was included in the Forward Plan.	
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	To seek authority to acquire by negotiation the land, properties, easements and rights of access over land needed for the construction of the Link Road between Edgar Street and Commercial Road, Hereford, and for in principle approval for the making of Compulsory Purchase Order (CPO) and Side Roads Order (SRO) if required, for the same purpose.  The Link Road is required to facilitate the implementation of proposals for the regeneration of the area known as the Edgar Street Grid; a plan of the boundary is attached at Appendix 1 ("the ESG Area") to the Report.
<b>Decision:</b>	<b>THAT:</b> <b>(a) The Chief Officer Finance &amp; Commercial, in consultation with the Director for Places and Communities, be authorised to proceed with acquisitions through negotiations with the possible affected landowners, as regards the acquisition of all necessary land interests, and all other necessary steps in this matter;</b> <b>(b) In order to secure any land and new rights required for the Link Road, the use of the Council's statutory powers of compulsory acquisition in making a Compulsory Purchase Order, and the use of the Council's statutory powers to make a Side Roads Order be approved, in principle, subject to a further report to Cabinet to more specifically identify the land interests to be acquired and further explain the necessity for a CPO in a statement of reasons.</b>

<p>Reasons for the Decision:</p>	<ol style="list-style-type: none"> <li>1. To deliver the redevelopment of the ESG Area, infrastructure enabling works are required including the construction of the Link Road. Large parts of the ESG Area are currently inaccessible by car or even on foot, with many dead ends, few landmarks and major physical barriers. The Link Road will provide access to land for residential and leisure redevelopment, and deliver a range of other benefits for pedestrians, cyclists, public transport users and motorists within Hereford.</li> <li>2. The Council is currently negotiating the acquisition of land and new rights by agreement to enable the Link Road works to progress. Some of these negotiations have progressed well and the Council are nearing a point where acquisitions could be completed.</li> <li>3. However the negotiations with the majority of businesses have been inconclusive to date and it is necessary for the Council to consider using its powers of Compulsory Purchase to enable the Council to acquire all the land and interests needed to progress the Link Road needed for the ESG scheme.</li> <li>4. It is estimated that up to 800 housing units could be accommodated within the redevelopment of the ESG Area, and that of those 35% (280 out of 800 units) will be classified for affordable use.</li> <li>5. To enable the construction of the Link Road approximately 14 businesses will be required to relocate from within the ESG Area, and approximately a further 5 businesses are directly affected by the construction. The said 19 businesses employ an estimated 190 people.</li> </ol>
<p>Options Considered:</p>	<ol style="list-style-type: none"> <li>1 That the Council attempts to conclude the acquisition of all the necessary land and interests solely through negotiation.</li> <li>2 Negotiations are currently ongoing between Herefordshire Council and relevant landowners and businesses. It is considered feasible that a negotiated agreement could be reached in respect of some of the land, interests and new rights required, although there may be adverse implications from a cost and timescale perspective.</li> <li>3 The alternative option is therefore to continue to attempt to conclude negotiated agreements without the security of a CPO.</li> </ol> <p><b>Advantages of negotiated agreement</b></p> <ol style="list-style-type: none"> <li>(a) Would negate the need to make a CPO and SRO and the possibility of holding a CPO and SRO</li> </ol>

	<p>Public Inquiry.</p> <p><b>Disadvantages of negotiated agreement</b></p> <p>(a) There would be no certainty over timescales for conclusion of an agreement.</p> <p>(b) There would be no certainty of reaching an agreement and being able to acquire the required land, property and rights.</p> <p>(c) There would be an associated risk of cost increases to facilitate a negotiated conclusion.</p> <p>4. This alternative option is not recommended for these reasons, although in line with the guidance set out in ODPM Circular 06/2004, the Council and Hereford Futures on behalf of the Council, will continue to try and negotiate the acquisition of the necessary land and rights by agreement even if the Order is made.</p>
<p>Declaration of Interest:</p>	
<p>Date the key decision is due to take effect:</p>	<p>21 June 2012</p>

<p><b>COUNCILLOR JG JARVIS</b> .....Date: 14 June 2012  <b>LEADER OF THE COUNCIL</b></p>
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<p><b>To be completed by officer:</b></p>	
<p>Date consent received from Chairman of Overview and Scrutiny Committee:</p>	
<p>Subject to Call-in:</p>	<p>This Decision was not called in</p>
<p>Was the decision modified?</p>	<p>No</p>
<p>If yes Cabinet Member (.....) decision reference:</p>	
<p>If no any comment(s) to be noted</p>	
<p>Date original decision took effect:</p>	<p>21 June 2012</p>