

Written statement of a key decision
Cabinet

Title	South Wye Transport Package
Decision maker	Cabinet Information about cabinet, including the names and contact details of the cabinet members, can be found here: http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251
Date of decision	16 November 2017
Report exemption class	Open
Reason for being a key decision	This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.
A notice was served in accordance with Part 3 (Key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
General exception or special urgency (as defined in the constitution)	No
Purpose	To confirm making of the Compulsory Purchase Order (CPO) and Side Roads Order (SRO) and to approve the procurement of a contractor for the Southern Link Road (SLR).
Decision	THAT: (a) the Director for Economy, Communities and Corporate be authorised to arrange for the making of the County of Herefordshire District Council (South Wye Transport Package – Southern Link Road) Compulsory Purchase Order 2017 pursuant to sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and the Acquisition of Land Act 1981 for the acquisition of the land interests and new rights within the areas coloured pink and blue respectively shown on the plan attached at appendix A (subject to any minor or technical amendments to the said plan as the Director for Economy, Communities and Corporate considers) and for compensation payments to be made in accordance with the relevant

	<p>legislation;</p> <p>(b) the Director for Economy, Communities and Corporate be authorised to arrange for the making of the County of Herefordshire District Council (South Wye Transport Package – Southern Link Road) Side Road Order 2017 under Section 14 and 125 of the Highways Act 1980 as shown in the plan attached at Appendix B (subject to any final amendments of the said plan the Director for Economy, Communities and Corporate considers necessary);</p> <p>(c) the Director for Economy, Communities and Corporate be authorised to arrange for the making of the Compulsory Purchase Order and the Side Road Order and to take all the necessary and ancillary steps, including the publication and service of all statutory notices and the presentation of the Councils case at any public inquiry, to secure the confirmation of the orders by the Secretary of State;</p> <p>(d) the Director for Economy, Communities and Corporate be authorised to implement the Orders, including the acquisition of all necessary land and interests and new rights, and to pay compensation including acquisitions agreed by negotiation and to carry out any other additional steps needed for the implementation of the Orders for the Southern Link Road;</p> <p>(e) the Director for Economy, Communities and Corporate be authorised to take all operational decisions necessary to establish and implement a procurement strategy to inform and enable a decision to award a contract to the best value tender for the construction of the SLR within a budget up to £150,000.</p>
Reason for the decision	<p>As set out in the report. Documents relating to this decision are available at</p> <p>http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?IId=50023740</p>
Options considered	<p>Not to utilise CPO powers and rely on negotiations with landowners to secure all the necessary land and rights to deliver the Southern Link Road (SLR). This would place additional risk both in respect of timescale and could result in considerable delay and possibly prevent delivery of the road due to one or more landowners not being prepared to sell or only at a cost significantly in excess of the market value. In accordance with the Department for Communities and Local Government (DCLG) guidance on CPOs published in October 2015, the council has and will continue to try and negotiate the acquisition of the necessary land and rights by agreement if the order is made.</p>
Declarations of interest (see below)	

Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)	22 November 2017
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Councillor:	Date 16 November 2017
Leader of the Council (Councillor AW Johnson)	

- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;
- and
- in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.