

## Record of officer decision

Decision title:	<b>South Wye Transport Package - Southern Link Road (SLR) land acquisitions</b>
Date of decision:	24 September 2018
Decision maker:	Chief Executive
Authority for delegated decision:	<p>In the decision taken by cabinet on 20 October 2016 to acquire by negotiation the land required for the construction of the southern link road authority was delegated to Director for Economy, Communities and Corporate as follows:</p> <p>THAT</p> <p>(a) the director for economy, communities and corporate, be delegated authority to take all operational steps necessary to acquire all the necessary land interests required for the delivery of the southern link road through negotiation with possible affected landowners <a href="http://hc-modgov:9070/ieDecisionDetails.aspx?id=4430">http://hc-modgov:9070/ieDecisionDetails.aspx?id=4430</a></p>
Ward:	Stoney Street Wormside
Consultation:	<p>No external consultation in relation to this decision.</p> <p>Both legal and finance have been consulted and commented on the report</p>
Decision made:	The Cabinet decision authorised the acquisition of all necessary land interests required for the delivery of the southern link road through negotiation with those possible affected landowners. Negotiations have been conducted and terms have now been agreed for the council to purchase land from Mrs E Watkins and pay full and final compensation amounting to £200,000 exclusive of professional fees.
Reasons for decision:	The owner of this parcel of land within the CPO was only prepared to contract with the council prior to the CPO Inquiry on the basis of an outright purchase, unlike all other agreements which have been negotiated and agreed on the basis of an option agreement enabling the council to acquire the land on confirmation of the CPO and SRO or earlier if required. However as this land is located at the eastern end of the scheme and has direct access onto the highway in the event that the scheme does not progress the land is capable of being resold, in the event that the vendor does not exercise their option to purchase back the land. On completion of the purchase the landowner will withdraw their objection to the CPO and SRO.

	<p>The terms of the purchase are commercially confidential at this stage as there are still compensation claims to be settled with other claimants but they have been recommended to the council by external property advisors Bruton Knowles.</p> <p>The combined value of the terms agreed for the acquisition of the land required to deliver the SLR are within the budget of £1.8m approved in the Cabinet report of 16 November 2017  <a href="http://councillors.herefordshire.gov.uk/documents/s50052561/South%20Wye%20Transport%20Package%20main%20report.pdf">http://councillors.herefordshire.gov.uk/documents/s50052561/South%20Wye%20Transport%20Package%20main%20report.pdf</a></p>
Highlight any associated risks/finance/legal/equality considerations:	<p>There are currently 6 statutory objections to the CPO/SRO of which 3 are from landowners. Without proceeding to complete this purchase it is unlikely that the landowner will withdraw their objection and a Public Inquiry will be required. Withdrawal of all statutory objections will be required to avoid the Inquiry but this decision is a step towards that objective.</p> <p>The Councils legal advisors have prepared and agreed the option agreement managed by legal services.</p>
Details of any alternative options considered and rejected:	<p>Not to complete the purchase and rely on the statutory CPO process to acquire the land. This would be against ODP Circular 06/2004 guidance which requires acquiring authorities to try and acquire land by negotiation.</p>
Details of any declarations of interest made:	<p>None</p>

Signed

Chief Executive

Date 24 September 2018