

Record of operational decision

Decision title:	To pay statutory compensation due in relation to the Edgar Street Grid Link Road and Urban Village
Date of decision:	2 March 2021
Decision maker:	Director for Economy and Place
Authority for delegated decision:	<p>Cabinet member decision dated 22 January 2021: Hereford City Centre transport package (HCCTP)</p> <p>http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7545</p> <p>That:</p> <p>(c) the director for economy and place in consultation with the section 151 officer is authorised to take all operational decisions necessary to make the remaining city link road land acquisition payments.</p>
Ward:	Widemarsh
Consultation:	The section 151 officer and legal services have been consulted on the decision.
Decision made:	To pay the outstanding disturbance payment of £24,561.20 as full and final settlement to RSS Hereford
Reasons for decision:	<p>A Compulsory Purchase Order (CPO) and Side Roads Order (SRO) were made on the 23 August 2013, to enable the delivery of the Link Road and following a public inquiry on 23 September 2014 both the CPO and SRO were confirmed by the Secretary of State for Communities and the Local Government and the Secretary of State for Transport respectively.</p> <p>This is statutory compensation due under s52 Land Compensation Act 1973.</p> <p>The claimants have already received advanced payments of compensation amounting to £162,374.97 plus fees of £4,438.80.</p> <p>This is a final payment of £24,561.20 to conclude all outstanding matters and is the recommendation made by the councils appointed agent Lambeth Smith Hampton.</p>
Highlight any associated risks/finance/legal/equality considerations:	<p>Risks</p> <p>It is noted that in line with the provisions of the Land Compensation Act, this payment is now due and daily interest charge are incurred every day until this payment is made. The daily interest charge has been at 0.25% per annum and is currently 0%. These are reviewed every three months. Delay to this payment may incur additional costs on the basis of this daily charge.</p> <p>Additional costs may also be incurred from the claimants agents and solicitors associated with pursuing the outstanding payment. The Council are liable for these reasonable costs in relation to the CPO.</p> <p>Financial</p> <p>The budget assigned to land acquisition in November 2015 was £11,023,000. As the scheme progressed, land costs have increased and the cabinet member decision in November 2017 increased the HCCTP programme budget to £14,873,000.</p> <p>The decision dated the 22 January 2021 increased the land acquisition budget to £16.25 million. Spend to date on land acquisition is £14,695,045 and this offer if accepted is within the approved budget.</p>

	<p>Legal The council's legal representative will prepare the documents necessary to enable the payment and completion of the claims.</p> <p>Equality There are no identified equality issues.</p>
Details of any alternative options considered and rejected:	Not pay the compensation. This is a statutory requirement under due under s52 Land Compensation Act 1973
Details of any declarations of interest made:	None

Signed

Richard Ball
Director for Economy & Place

Date: 2 March 2021