



28 May 2012

Agenda Item: 7e

**REPORT OF SERVICE DIRECTOR - TRANSPORT, PROPERTY &
ENVIRONMENT**

**A612 GEDLING TRANSPORT IMPROVEMENT SCHEME CPO 2004
PLOTS 7, 8 , 9, 10, 12 & 49 (3658 M²)**

Purpose of the Report

1. To seek approval of the Finance & Property Committee to the compulsory purchase of land for construction and use of A612 Gedling Transport Improvement Scheme.

Information and Advice

2. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position. The exempt information is set out in the exempt appendix.
 - a) The land (3658 sq m) acquired for the re routed and shortened A612 road formed part of the Teal Close playing fields and part of the adjacent club house car park owned by Gedling Borough Council.
 - b) Prior to the County Council taking possession of the site, the land was used for recreational purposes. Gedling Borough Council however held a Section 17 Certificate of Alternative Development for the land. This would have allowed it to be developed for use within classes B1, B2 and B8 as defined in the Town & Country Planning (Use Classes Order) 1987.
 - c) Consequently, this means that the land has development value rather than recreational use value.
 - d) Agreement has now been reached with Gedling Borough Council for the purchase of the land, and the details are given in the Appendix which is annexed to the report.

Other Options Considered

3. There are no other options to negotiated compulsory purchase claims other than through lengthy and expensive references to Lands Tribunal in the event of serious dispute between parties.

Reason/s for Recommendation/s

4. To complete the purchase of the land which now forms part of the A612 road.

Statutory and Policy Implications

5. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

1. That approval be given to the compulsory purchase of land for construction and use of A612 GTIS.

Jas Hundal

Service Director - Transport, Property & Environment

For any enquiries about this report please contact: Patrick Robinson 0115 9772086

Constitutional Comments (CEH 16.05.12)

7. The recommendations within the report are within the remit of the Finance and Property Committee.

Financial Comments (PB 10-May-2012)

8. The purchase highlighted in the appendix will be funded from the Transport and Highways Capital Programme

Electoral Division(s) and Member(s) Affected

9. Ward(s): Carlton East
Member(s): Cllr Allen Clarke, Cllr John Clarke

File ref.: /TS/SL/70055

SP: 2239

Properties affected: 70055 - A612 Gedling Transport Improvement Scheme (CPO)