

16 June 2014**Agenda Item: 5(a)****REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY AND
ENVIRONMENT****A617 MANSFIELD ASHFIELD REGENERATION ROUTE (MARR)
COMPULSORY PURCHASE, LAND PLOTS 304 & 308 (PART) – 0.165 HA
(0.407 ACRES)****Purpose of the Report**

1. To seek approval to the acquisition of 1650 square metres (0.407 Acres) of land being Plot Numbers 304 and part 308 of the A617 MARR Compulsory Purchase Order (CPO) on terms set out in the exempt appendix to this report.

Information and Advice

2. This report contains an exempt appendix, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) (Information relating to any individual and the business affairs of a particular person (including the authority holding that information)). The exempt appendix provides details of the terms agreed. Disclosure of this information would prejudice the parties' commercial interests.
3. The MARR Scheme involved the construction of a nine-mile road between the M1 and Mansfield via Ashfield District. It was built with £34.25m provided by various agencies and created a corridor of new development sites to attract high value businesses to regenerate the area. Since opening, it is estimated that £480m has been invested and nearly 2,000 jobs have opened up along the route which is now called the A617 Sherwood Way. The compulsory purchase of 0.165 hectares (0.407 acres) land and the statutory requirement to compensate the claimants, Hallam Land is one of the few remaining acquisitions to complete for the scheme.
4. The consequence of the land take and construction of the Western section of the MARR is that this retained land (which benefitted from a Housing Allocation in the Mansfield Local Plan) was reduced in size leading to a smaller developable area.
5. The land to be acquired has been used in part for the construction of the MARR and in part for the creation of a new agricultural access to adjacent farmland which was severed by the MARR.
6. Following the initial claim, subsequent lengthy negotiations have taken place and provisional agreement has been reached as detailed in the appendix annexed to this report.

7. The usual legal costs, surveyor's fees, allowable expenses and interest from 6 January 2003 as specified under statute will apply and be payable from Communities Capital Budget for MARR as funded by Central Government.

Other Options Considered

8. There are no options to negotiated compulsory purchase allowable under Compulsory Purchase Order powers other than reference to the Lands Tribunal. This is no longer an option as the case to the Lands Tribunal is out of time, having lapsed in 2008.

Reason/s for Recommendation/s

9. To comply with a statutory requirement.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working 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 is given to the acquisition of 1650 square metres (0.407 acres) of land being Plot Numbers 304 and part 308 of the A617 MARR Compulsory Purchase Order on terms set out in the exempt appendix to this report.

Jas Hundal
Service Director, Transport, Property and Environment

For any enquiries about this report please contact: Tim Slater 0115 977 2076

Constitutional Comments (SSR 16.5.14)

11. This decision falls within the scope of decisions that may be approved by the Finance and Property Committee.

Financial Comments (TR 20.5.2014)

12. The financial implications are set out in the exempt appendix to the report.

Background Papers and Published Documents

13. None.

Electoral Division(s) and Member(s) Affected

14. Ward(s): Mansfield East

Member(s): Councillor Colleen Harwood, Councillor Alan Bell