

**REPORT OF LEADER OF THE COUNTY COUNCIL****GEDLING ACCESS ROAD (GAR) – LAND ACQUISITIONS AND DISPOSALS****Purpose of the Report**

1. To seek approval to the acquisition of land required for the Gedling Access Road on the terms as set out in the exempt appendix relating to 0.025 acres of land to the south of Mapperley Plains, Mapperley and 0.862 acres of land that forms part of the 3rd Woodthorpe Scouts Group at Mapperley.
2. To seek approval to dispose of land as part of the delivery of the Gedling Access Road as required under a Section 106 Unilateral Undertaking dated 23 December 2014 on the terms as set out in the exempt appendix relating to 1.75 acres of land to the north of Arnold Lane, Mapperley.

**Information**

3. This report contains an exempt appendix, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) (Information relating to any individual and the business affairs of a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 with private landowners and forms part of confidential negotiations and disclosure of this information would not be in the public interest. To disclose this financial information would prejudice the parties' commercial interests and those of third parties.
4. The role of the Gedling Access Road is twofold. Primarily, the new road will enable the sustainable redevelopment of the former Gedling Colliery site for mixed-use purposes by providing safe and adequate access to the proposed residential, employment and community related uses proposed for the site. Secondly, it will also provide a 'bypass' around Gedling, providing improved connectivity to the wider road network. In doing so, the Gedling Access Road will ease traffic congestion on other roads surrounding the former colliery site that at present are either at or nearing capacity.
5. Without acquiring the parcels of land detailed in this report, either through agreement or via the Compulsory Purchase Order process, the proposed works cannot be delivered. Previous Committee approvals stipulate that wherever possible; land will be acquired by agreement. The last report seeking approval to acquire a further two private land interests by agreement was considered at the Policy Committee meeting on 13<sup>th</sup> November 2019, this report gave details of guidance published by the Ministry of Housing, Communities and Local Government (MHCLG), the Orders confirmed by the Secretary of State for Transport and funding. The previous report is listed as a background paper.

6. Works commenced to construct the Gedling Access Road on 6<sup>th</sup> January 2020 and the construction programme takes into account the status of acquisitions for the two private land interests described in this report.

#### **Acquisition - Land south of Mapperley Plains, Mapperley**

7. The route passes through 100 sq. metres (0.025 acres) of scrubland to the south east of Lambley Lane, designated as Plot 5 in the Order. The land required is part of a wider land parcel 918 sq. meters (0.227 acres), title NT362748 that is an Above Ground Installation in the ownership of Cadent Gas Limited.
8. The area of land required is shown on drawing HW00590/332 and a location plan of the site on HW00590/323.

#### **Acquisition - Land that forms part of the 3<sup>rd</sup> Woodthorpe Scouts Group at Mapperley**

9. The route passes through 3,490 sq. metres (0.86 acres) of land that is part of the 3<sup>rd</sup> Woodthorpe Scouts Group. This consists of 0.01 acres of public highway, 0 .02 of yard / accessway and 0.83 acres of wooded area. The land being acquired is part of a wider land parcel, title NT85204.
10. The area of land required is shown on drawing HW00590/335 and a location plan of the site on HW00590/336.

#### **Disposal - Land North of Arnold Lane to the Scouts Group**

11. The Homes and Communities Agency, now Homes England, at the time of submitting the original planning application for the Gedling Access Road (reference 2014/0915) were required by Gedling Borough Council to execute a Section 106 Unilateral Undertaking. With reference to the Scouts Group this included measures relating to land exchange and replacement of facilities as a result of part of their land being acquired by the County Council as set out above. The County Council are the successor body for the Unilateral Undertaking for the delivery of the Gedling Access Road.
12. As part of a Grant Funding Agreement in place between Homes England and the County Council, various areas of land owned by Homes England that is required to deliver the Gedling Access Road are to be transferred to the County Council. This transfer includes land that is outside of the road corridor but is required in exchange of other land, such as the land to be acquired from the Scouts as set out in paragraphs 9 and 10. Arrangements are currently being made between Homes England and the County Council for the transfer of these land areas.
13. Part of the land that will transfer from Homes England to the County Council is an area of land north of Arnold Lane consisting of 1.75 acres as shown on drawing HW00590/337. This land forms part of a wider land parcel registered with title number NT511048. This land has previously been identified and once transferred from Homes England to the County Council it is agreed that this land will be disposed to the Scouts as part of the Unilateral Undertaking and funding agreement. The disposal to the Scouts will be completed once all construction works related to the Gedling Access Road have been completed.

## **Other Options Considered**

14. Cadent Land - In response to notice that the Order had been made, Cadent submitted a 'holding objection' to the Department for Transport on 11<sup>th</sup> December 2018. In their objection Cadent advised that the objection would be maintained until an Asset Protection Agreement (APA) was put in place. Terms for the APA were agreed and Cadent's objection to the Order was withdrawn. A provision in the APA included that Cadent's Land would not be compulsorily acquired and would be acquired by agreement at market value.
15. Scouts Land – The land required to deliver the Gedling Access Road and land to be disposed of in exchange is linked to requirements of a Grant Funding Agreement and part of the Section 106 Unilateral Undertaking. Whilst included originally in the Orders, the intention was to acquire by agreement and no objections were made by the Scouts to the Orders.
16. Acquisition by agreement is consistent with both the Asset Protection Agreement and requirements of the Unilateral Agreement.

## **Reason/s for Recommendation/s**

17. To secure the land necessary to deliver the GAR in a timely and cost effective manner.

## **Statutory and Policy Implications**

18. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Finance Implications**

19. This land acquisition will be funded from an external grant.

## **RECOMMENDATION/S**

It is **recommended** that:

- 1) That approval is given to the acquisition of land required for the Gedling Access Road on the terms as set out in the exempt appendix relating to 0.025 acres of land to the south of Mapperley Plains, Mapperley and 0.862 acres of land that forms part of the 3rd Woodthorpe Scouts Group at Mapperley.
- 2) That approval is given to dispose of 1.75 acres of land to the north of Arnold Lane, Mapperley as part of the delivery of the Gedling Access Road as required under a Section 106 Unilateral Undertaking dated 23 December 2014.

**Councillor Mrs Kay Cutts**  
**Leader of the County Council**

**For any enquiries about this report please contact:**

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**Constitutional Comments (CEH 17/12/2019)**

20. The recommendation falls within the remit of Policy Committee under its terms of reference.

**Financial Comments (GB 2/12/2019)**

21. The costs associated with the purchase of land set out in this report will be funded from the £40.9m Gedling Access Road capital budget which is already included within the Communities and Place capital programme.

**Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Communities and Place Committee Report dated 5<sup>th</sup> December 2019  
Gedling Access Road – Progress Report
- Communities and Place Committee Report dated 5<sup>th</sup> December 2019  
Gedling Access Road – Progress Report
- Policy Committee Report dated 13<sup>th</sup> November 2019  
Gedling Access Road (GAR) – Land Acquisitions
- Communities and Place Committee Report dated 4<sup>th</sup> July 2019  
Gedling Access Road – Progress Report
- Finance and Major Project Committee Report dated 14<sup>th</sup> February 2019  
Gedling Access Road – Update Report
- The Nottinghamshire County Council (B684 to A612 Link Road) A6211 Gedling Access Road (Side Roads) Order 2018 and The Nottinghamshire County Council (Gedling Access Road) Compulsory Purchase Order 2018 – Available at:  
[www.nottinghamshire.gov.uk/GAR](http://www.nottinghamshire.gov.uk/GAR)  
*The Order can be found on the above link, together with the statement of case, proof of evidence and core documents produced for the Public Inquiry*
- Communities and Place Committee Report dated 8<sup>th</sup> March 2018 – Scheme Update  
Gedling Access Road – Scheme Update
- Transport and Highways Committee Report dated 16<sup>th</sup> March 2017  
Gedling Access Road – Scheme Update, Compulsory Purchase Orders and Side Roads Orders
- Finance and Property Committee Report dated 19<sup>th</sup> September 2016  
Gedling Access Road - Scheme Update and Funding Agreement
- Transport and Highways Committee Report dated 21<sup>st</sup> September 2016  
Gedling Access Road – Scheme Update, Compulsory Purchase Orders and Side Roads Orders
- Greater Nottingham (Broxtowe Borough, Gedling Borough, Nottingham City) – Aligned Core Strategies Part 1 Local Plan – Adopted September 2014
- Finance and Property Committee Report dated 24 March 2014  
Gedling Access Road, Scheme Development and Funding Agreements
- Report to County Council dated 27 February 2014  
Capital Programme 2014/15 to 2017/18

- D2N2 Local Growth Fund – Local Assurance Framework – Available at:  
[http://www.d2n2lep.org/write/Local\\_Assurance\\_Framework\\_final\\_version.pdf](http://www.d2n2lep.org/write/Local_Assurance_Framework_final_version.pdf)

**Electoral Division(s) and Member(s) Affected**

Arnold North	Councillors Pauline Allan and Michael Payne
Arnold South	Councillors John Clarke and Muriel Weisz
Carlton East	Councillors Nicki Brooks
Carlton West	Councillors Errol Henry and Jim Creamer
Calverton	Councillor Boyd Elliott
Newstead	Councillor Chris Barnfather