

REPORT OF THE SERVICE DIRECTOR, INVESTMENT AND GROWTH**GRANT OF DRAINAGE EASEMENT, LAND OFF HOLLYGATE LANE,
COTGRAVE COUNTRY PARK****Purpose of the Report**

1. This report seeks approval to the grant of a drainage easement at Cotgrave Country Park to help facilitate the residential development of adjacent land, on terms as detailed in the exempt appendix.

Information

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 This report contains an exempt appendix which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).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 or the business affairs of a particular person (including the authority holding that information). 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.
3. The land located off Hollygate Lane as shown edged and hatched black is currently subject to an outline planning application for residential development which would deliver up to 210 new houses with access taken from the Hollygate Lane frontage.
4. Barratt Homes are seeking a drainage easement across a short section of adjacent land owned by the County Council and forming part of Cotgrave Country Park. This is shown by a line marked A-B on the plan. This is for surface water drainage and would allow a connection into the open water course running across the County Council's land. The required planning application would be subject to the usual flood risk assessments and the County Council's Flood Risk Management Team has not identified any concerns.
5. The Council is required under section 123 Local Government Act 1972 to obtain the best consideration reasonably obtainable for the disposal of assets, including the grant of rights over Council land. It is considered that the proposed terms for the grant of the easement meet this requirement.

Other Options Considered

6. The Council could decide not to grant the easement and the developer would be required to pursue other alternatives available to them to drain elsewhere.

Reasons for Recommendation

7. By entering into the proposed drainage easement the Council will receive a capital payment, benefit from access improvements to the park and facilitate residential development and the delivery of new houses.

Statutory and Policy Implications

8. 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 NHS Constitution (public health services), 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.

RECOMMENDATION

It is recommended that:

- 1) That approval is given to the grant of a drainage easement on the basis of the terms outlined in the exempt appendix.

Matthew Neal
Service Director, Investment and Growth

For any enquiries about this report please contact: Neil Gamble, Group Manager Property Asset Strategy, Tel. 0115 9773045

Constitutional Comments (CJ 22/02/2022)

9. The recommendation falls within the remit of the Economic Development and Asset Management Committee under its terms of reference. The Council is under a statutory obligation when granting an interest in land to obtain the best price reasonably obtainable, therefore members should satisfy themselves of this.

Financial Comments (GB 22/02/2022)

10. The financial implications associated with this report are set out in the exempt appendix.

Background Papers and Published Documents

- None.

Electoral Division(s) and Member(s) Affected

- Electoral Division(s): Cotgrave
- Member(s): Councillor Richard Butler