

Norfolk County Council

Record of Individual Cabinet Member Decision

Responsible Cabinet Member: Cllr Greg Peck (Cabinet Member for Commercial Services & Asset Management)

Background and Purpose:

Norfolk County Council promoted a Development Consent Order (DCO) for the Broadland Northway road scheme. This involved seeking powers for the acquisition of land required, on both a permanent and temporary basis.

Decision: To approve the compensation payment for the freehold interest in land acquired from Mr & Mrs G in connection with the Broadland Northway road scheme.

Is it a key decision? No

Is it subject to call-in? Yes

If Yes – the deadline for call-in is: 4pm, Thursday 13 October 2022

Impact of the Decision:

As set out in the attached report.

Evidence and reason for the decision:

As set out in the attached report.

Alternative options considered and rejected:

As set out in the attached report.

Financial, Resource or other implications considered:

As set out in the attached report.

Record of any conflict of interest:

Background documents:

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Date of Decision: 3 August 2022

Publication Date of Decision: 6 October 2022

Signed by Cabinet Member:

I confirm that I have made the decision set out above, for the reasons also set out.

Signed: Cllr Greg Peck

Print name: Cllr Greg Peck

Date: 3 August 2022

Accompanying documents:
Report:

Once you have completed your internal department clearance process and obtained agreement of the Cabinet Member, send your completed decision notice together with the report and green form to committees@norfolk.gov.uk

Individual Cabinet Member Decision Report

Item No:

Report Title: Broadland Northway – Taverham, Acquisition of land from Mr & Mrs G

Date of Meeting: n/a

Responsible Cabinet Member: Cllr Greg Peck, Cabinet Member for Commercial Services & Asset Management

Responsible Director: Simon George, Executive Director for Finance and Commercial Services.

Is this a Key Decision? No

If this is a Key Decision, date added to the Forward Plan of Key Decisions: n/a

Executive Summary / Introduction from Cabinet Member

Norfolk County Council promoted a Development Consent Order (DCO) for the Broadland Northway road scheme. This involved seeking powers for the acquisition of land required, on both a permanent and temporary basis.

Recommendations:

1. **The Cabinet Member for Commercial Services and Asset Management is asked to approve the compensation payment for the freehold interest in land acquired from Mr & Mrs G in connection with the Broadland Northway road scheme.**

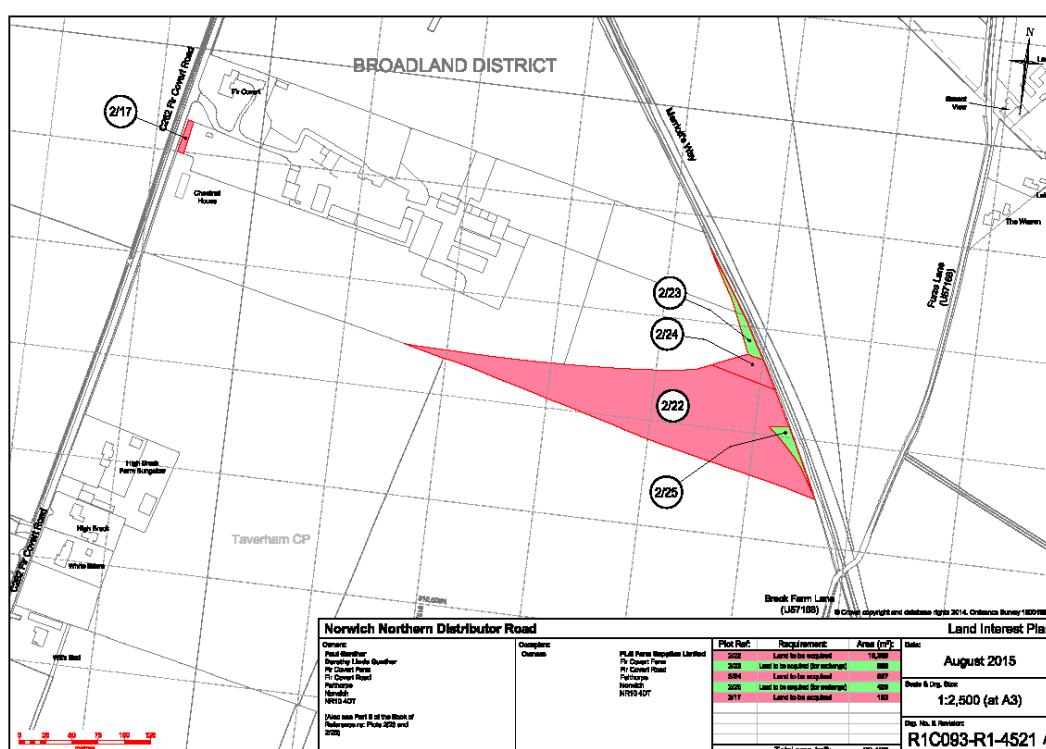
1. Background and Purpose

- 1.1 Norfolk County Council promoted a Development Consent Order for the Broadland Northway road scheme. This involved seeking powers for the acquisition of land required, on both a permanent and temporary basis. The DCO was made on 2 June 2015, construction started in January 2016 and the road was fully opened in 2018.
- 1.2 NPS Property Consultants Ltd were instructed by the Infrastructure Delivery Team, Community & Environmental Services to acquire the land required for the Scheme.

- 1.3 Norfolk County Council served a Notice to Treat and Notice to Enter on Mr and Mrs G, the owners of land between Fir Covert Road and the Marriott's Way in Taverham, on 27 November 2015 in respect of the land required from them. Possession of the land was taken in January 2016 but the legal transfer of the land to Norfolk County Council will not occur until the compensation is finally agreed and the legal documentation completed.
- 1.4 In total just over one hundred separate land interests were affected by the scheme and to date nearly two thirds have been completed.
- 1.5 Negotiations have been held with Mr & Mrs G's agent and Heads of Terms have been agreed and are detailed in the final compensation proposal report in confidential **Appendix A**.
- 1.6 **Appendix A** is exempt from publication as it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The public interest test has been applied and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information at this stage. The information is exempt from the Cabinet Members Delegated Decision Report for the acquisition due to information being commercially sensitive which might prejudice the council's ability to complete negotiations if released. Details will be published on the land registry website when the acquisition is completed.

2. Proposal

- 2.1 The permanent acquisition by Norfolk County Council of 20,485sqm (5.06 acres) of land shown coloured pink and green on plan R1C093-R1-4521A.



- 2.2 As required by the Development Consent Order the land shown pink and green will subsequently be transferred to Broadland District Council to replace land being acquired from them from Marriott's Way.
- 2.3 A total compensation payment has been agreed.
- 2.4 Mr & Mrs G's legal and professional fees will also be payable by the County Council.
- 2.5 The Divisional Member has been informed of this proposal.

3. Impact of the Proposal

- 3.1 The land to be acquired has either been incorporated into the Broadland Northway Scheme or will be exchanged with Broadland District Council for land required from them at Marriott's Way as required under the Scheme's Development Consent Order.

4. Evidence and Reasons for Decision

- 4.1 This proposal provides for the final agreement for the acquisition of land to support the Broadland Northway road scheme.

5. Alternative Options

- 5.1 The Council is compelled to acquire the land having served Notice to Treat and Notice to Enter and implemented them by taking possession and constructing the Broadland Northway Scheme.

6. Financial Implications

- 6.1 As outlined above, the total compensation is £251,500.
- 6.2 Provision for the acquisition of the land and fees has been made in the overall land acquisition budget for the Broadland Northway Scheme.

7. Resource Implications

- 7.1 **Staff:** Nil
- 7.2 **Property:** As described elsewhere in this report
- 7.3 **IT:** Nil

8. Other Implications

- 8.1 **Legal Implications:** None
- 8.2 **Human Rights Implications:** None

8.3 Equality Impact Assessment (EqIA): None

8.4 Data Protection Impact Assessments (DPIA): None

8.5 Health and Safety implications: None

8.6 Sustainability implications: None

9. Risk Implications / Assessment

9.1 The Council is not able to avoid acquiring the land or paying due compensation for it. Under the Development Consent Order the Council is required to provide replacement land to Broadland District Council arising from the acquisition of land from the Marriott's Way and this acquisition provides some of that replacement land.

10. Recommendations

10.1 The Cabinet Member for Commercial Services and Asset Management is asked to approve the compensation payment for the freehold interest in land acquired from Mr & Mrs G in connection with the Broadland Northway road scheme

Officer Contact

If you have any questions about matters contained within this paper, please get in touch with:

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If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.