

DECISION TAKEN UNDER DELEGATION TO THE CHIEF EXECUTIVE

Subject:

The Purchase of Land at the entrance to Baddow Road Car Park

Date of Decision:

2nd January 2025

Decision Number:

1/2025

Background:

The Land identified in the images below forms the entrance to Baddow Road Car Park and will be part of the new road constructed as part of the Waterside Bridge project.

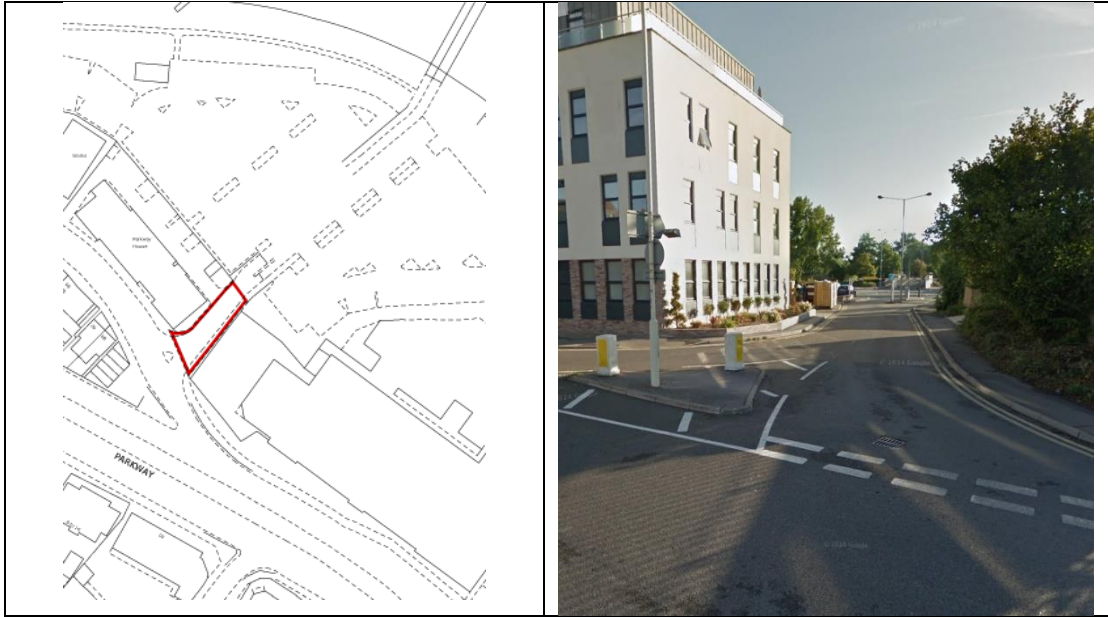
The roadway was adopted as part of the highway network in 2005, and the landowner has disputed the validity of this process since it occurred.

The owner of the land has instructed solicitors to defend their position and over the last few years the Council has engaged in this dispute and has sought advice on the validity of the landowners claim.

Given the potential impact on the Chelmer Waterside project a negotiated settlement has been reached with the landowner by which the Council will acquire this land and make a capped contribution towards their legal fees. The budget agreed by Council in July 2023 will be supplemented by a virement from the Chelmer Waterside Bridge project contingency to fund the final settlement.

Other solutions to this issue have been considered including the use of compulsory purchase powers but it is felt that this would bring uncertainty and delay.

Given that the bridge works will impact this land and there is a potential that delay in completing this transaction could result in negotiations being reopened we are recommending the use of urgency powers to conclude this transaction.



Supporting Information:

The Leader of the Council was consulted before making this decision and had no objection to it.