BASSETLAW DISTRICT COUNCIL

DELEGATED OFFICER DECISION

NB Officers taking delegated decisions must ensure that they are fully conversant with the conditions applicable to the exercise of delegated powers by officers and in particular that the decisions are in accordance with the Council’s policies, powers and financial regulations.

Details of such conditions are to be found in the Council’s Constitution and in cases of any doubt advice must be sought from the Council’s Financial and/or Legal officers.

DELEGATED POWERS REFERENCE

7.16 To grant wayleaves and easements for drainage, the passage of wires, pipes or apparatus of statutory undertakers over, in, on, or under land held by the Council.

IS THE DECISION CONFIDENTIAL? NO

OFFICERS ADVICE:

Grant a Drainage Easement to Barratt Homes over Council Owned Land Adjacent 96 Grange View, Harworth.

Barratt Homes approached the Council, following a successful planning application to build housing on land between Tickhill Road and Grange View, Harworth to enquire if the Council would grant a drainage easement to connect the drains from the development to those in Grange View through land in Bassetlaw District Council ownership adjacent to 96 Grange View.

Should the Council refuse, these rights can be acquired through requisition by Severn Trent Water/the developer, the drainage would still be provided, this would take longer than if terms are agreed between the parties however, the Council would also only be able to claim statutory compensation opposed to an agreed licence fee.

Once the works are complete the Council will be required to enter into an agreement with Severn Trent Water for the adoption of the drainage.

Terms have provisionally been agreed.

IMPLICATIONS:

a) For Service Users

None contained within this report

b) Strategic & Policy

None contained within this report
c) **Financial** plus Financial Reference – Fin. Ref. 20/511

An easement fee of £24,000 (Twenty Four Thousand pounds) has been agreed, together with reasonable Estates and Legal fees.

d) **Legal** plus Legal Reference – Legal Ref. 357/03/2020

This is a matter properly falling within the delegation of the Head of Property and Finance pursuant to 7.16 as delegated to the Councils Property Manager

e) **Human Resources**

None contained within this report

f) **Community Safety, Equal Opportunity & Environmental**

None contained within this report

g) **General Data Protection Regulations**

None contained in this report

**OPTIONS CONSIDERED:**

Grant drainage easement.

Do not grant drainage easement.

**DECISION (With Reasons):**

Grant the drainage easement to Barratt Homes for the reasons contained within this report.

**BACKGROUND PAPERS:**

Estates office

**SIGNATURE OF DECISION MAKER**

**DATE** 02/04/2020

The signed original of this form must be sent to the Democratic Services Unit.

The author of this form should retain a copy for their file and send copies to:
- Monitoring Officer
- Section 151 Officer

Date received by Democratic Services Unit 02/04/2020