

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

1975

Author:

John West

Department:

Development

Contact:

John West

(Job Title: Estates Surveyor, Email: john.west@nottinghamcity.gov.uk, Phone: 01158763086)

Subject:

Bridge over the Nottingham-Beeston Canal at Thane Road

Total Value:

Nil (Type: Nil)

Decision Being Taken:

To enter in to a 999-year lease with CANAL & RIVER TRUST (acting as trustee of the Waterways Infrastructure Trust) registered charity number 1146792-2) whose principal office is at First Floor North, Station House, 500 Elder Gate, Milton Keynes, MK9 1BB of the land and airspace in which a new bridge over the Nottingham Beeston Canal at Thane Road, Nottingham will be situated. The Council is acting as Accountable Body on behalf of the D2N2 Local Enterprise Partnership (LEP).

Reasons for the Decision(s)

The new bridge will form part of the transport infrastructure supporting the Nottingham Enterprise Zone (NEP), and will be designed in collaboration with Boots and the D2N2 Local Enterprise Partnership (LEP) who are leading the scheme.

The cost of construction, maintenance and repair of the bridge under the provisions of the lease will be included in the Council's overall contribution to the project, which is expected to be agreed upon at Executive Board in May 2015. No commitment to spend will be entered in to until then, even though agreement to enter in to the lease is required beforehand. Once constructed the bridge structure and road network will be formally adopted as highway and become maintainable at the public expense.

Briefing notes documents:

60290174-BR-GA-0101.pdf, Plan to Agreement (2).pdf

Other Options Considered:

The option to not create a new crossing was rejected as it would seriously impact the financial and commercial viability of the Nottingham Enterprise Zone, which is seen as a key project to drive Nottingham's Economy forward in the next 20 years.

Background Papers:

None.

Published Works:	Report to Executive Board "Growing Places Fund - Accountable Body" dated 19-02-2015.
Affected Wards:	Dunkirk and Lenton
Colleague / Councillor Interests:	None
Consultations:	<p>Date: 27/04/2015</p> <p>Ward Councillors: Graham Chapman, Jon Collins</p> <p>Those consulted were in agreement to the recommended decision.</p>
	<p>Date: 30/03/2015</p> <p>Other: John Whyld, Head of Technical & Project Management Services (NRL Secondment)</p> <p>The City Council, as an active partner assisting the successful delivery of the Enterprise Zone economic objectives, support the proposed construction, adoption and future maintenance of a new bridge structure over the Canals and Rivers Trust 'Beeston Canal'. The new bridge structure will carry a new public highway linking the adopted highway of Thane Road and Humber Road South and will help support new and existing commercial 'health and wellbeing' businesses on the Beeston Boots campus.</p>
	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	There are no Crime and Disorder Implications relating to this decision.
Equality:	EIA not required. Reasons: This is not a new or changing policy, service or function. The decision adheres to all Council Equality policies
Decision Type:	Officer
Executive Decision?	Yes
Scheme of Delegation Reference Number or Other Source of Delegation:	Executive Board Report, Growing Places Fund - Accountable Body (Recommendation 3), dated 19-02-2015.
Subject to Call In:	No

The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

Person Consulted: Councillor Parbutt

Consultation Date: 23/04/2015

To ensure that critical project deadlines are met, the Council will need to enter in to this decision as soon as possible.

Advice Sought:

Legal, Finance, Other: Chris Henning(Chris.Henning@Nottinghamcity.gov.uk)

Legal Advice:

The Council propose to appoint contractors to construct a new bridge over the Beeston Canal. This will be a design and build scheme and access to the land for the purpose of carrying out the works will be under licence from the Canal and River Trust.

Following construction of the bridge, the Canal and River Trust will grant a 999 year lease of the airspace and land in and on which the bridge and its footings respectively are situated.

Legal services consider the 999 year lease to be the best option to protect the investment that the Council is making in the bridge. The lease means that the Council own the legal estate in the land and airspace and ensures that there is no question over legal ownership of the bridge.

The lease grants rights of access to the Council for the purpose of all future maintenance and repair of the bridge.

Advice provided by Rebecca Beecroft (Solicitor) on 10/04/2015.

Finance Advice:

This report requests approval to enter into an agreement for lease with the Canal & River Trust for a period of 999 years. Once the lease is operational it will transfer all the risks of ownership to the Council who will be responsible for maintenance and repair of the bridge once constructed. The costs for construction maintenance and repair are currently being developed and will be presented to Executive Board for approval along with the Business Case once they have been finalised.

It is understood that the lease will only become operational once the costs of the project have been confirmed and the funding made available.

There is currently no financial impact of this decision, however, if the scheme goes ahead as planned the Council will need to allocate resources to cover all future maintenance and repairs required to the Bridge. Advice provided by Tina Adams (Capital and taxation Manager) on 27/04/2015.

Other Advice:

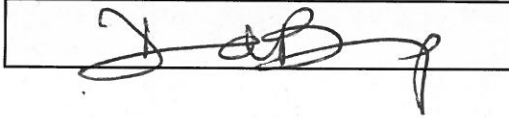
This is a critical and highly negotiated contribution to the Enterprise Zone Development for which I am Programme Director. I therefore support this recommendation.

Advice provided by Chris Henning (Director, Economic Development) on 14/04/2015.

Signatures:

David Bishop (Corporate Director of Development and Growth)

Signature:

A rectangular box containing a handwritten signature in black ink, which appears to be "David Bishop".

Date:

30-4-15

