

EXECUTIVE DECISION NOTICE

Decision Maker	Executive	Decision Date: 03 January 2018
Decision Maker Name	Executive	

Decision Record	
Status	Recommendations Approved (subject to call-in)
Decision Reference No:	1014796
Title	Grantham Southern Relief Road (GSRR) - Land Acquisition, Orders and Contracts
Report reference	5
Record of Decision	<p>(1) That approval be given to Lincolnshire County Council entering into an agreement with Highways England pursuant to Section 6 of the Highways Act 1980 ("the Section 6 Agreement") relating to highway works at the A1 Trunk Road (Grantham Southern Growth Corridor) and the exercise by the Council of all Highways England's powers in respect of the making, publishing and seeking confirmation of Compulsory Purchase Orders and Side Roads Orders necessary to give effect to paragraphs 2 and 3 below, generally in the form of the draft as detailed at Appendix J to the report.</p> <p>(2) That approval be given to Lincolnshire County Council (both for itself and in exercise of the powers of Highways England delegated pursuant to the Section 6 Agreement) exercising powers under Sections 14, 125, 239, 240, 246, 250 and 260 of the Highways Act 1980 and Acquisition of Land Act 1981 to secure the compulsory acquisition of and otherwise deal with all land and rights and interests in and affecting land necessary to construct the GSRR (including the SQLR).</p>

(3) Without prejudice to the generality of the approval at paragraph 2 above approval be given to Lincolnshire County Council (both for itself and in exercise of the powers of Highways England delegated pursuant to the Section 6 Agreement) making:-

(i) A compulsory Purchase Order under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and Acquisition of Land Act 1981 generally in the form set out in Appendix F to the report to secure the compulsory acquisition of the land shown pink on the Compulsory Purchase Order plans at Appendix H to the report and the new rights over the land shown coloured blue on the said order plans on the basis that there is a compelling case in the public interest for making this Compulsory Purchase Order; and

(ii) Side Roads Orders under sections 14 and 125 of the Highways Act 1980 generally in the forms set out in Appendix B and E to the report to carry out works to existing highways;

the orders detailed in sub-paragraphs (i) and (ii) of this paragraph 3 being collectively referred to as "the Orders"

(4) That approval be given to:

(i) Lincolnshire County Council entering into an agreement with the Secretary of State for Transport ("SSfT") and/or the Department for Transport ("DfT") to receive authority or delegation of powers to enable the Council to promote a Slip Roads Order or Orders to be made by the SSfT under sections 10 and 41 of the Highways Act 1980 through to confirmation, including preparation and representations at any Public Inquiry and the exercising of those powers if and when authorised or delegated; or

(ii) whether or not a delegation is obtained pursuant to paragraph 4 above, Lincolnshire County Council liaising with and assisting the SSfT and/or DfT in respect of publication and promotion of a Slip Roads Order or Orders under Sections 10 and 41 of the Highways Act 1980

in each case for the designation of the new slip roads

created as part of the GSRR scheme as trunk roads;

- (5) That the Executive Director for Environment and Economy be delegated authority to exercise on behalf of the Council any powers of the Secretary of State under section 10 of the Highways Act 1980 delegated pursuant to an agreement as described in paragraph 4(i) above or otherwise to take such steps as may be necessary to liaise with and assist the Secretary of State as described in paragraph 4(ii) above.
- (6) That approval be given in principle to the Statement of Reasons ("SoR") for the above mentioned Orders generally in the form of the draft set out at Appendix I to the report.
- (7) That the Executive Director for Environment and Economy be delegated authority to agree the final version of the SoR, and the final form of the Orders including authority to make, if necessary, any amendments to the Orders referred to in 3 (i) and 3 (ii) above necessary to secure the compulsory acquisition of all land necessary to construct the GSRR (including the SQLR) prior to publication of the Orders.
- (8) That the Chief Legal Officer be delegated authority to seal the Orders in their final form.
- (9) That the Executive Director for Environment and Economy be delegated authority to take all the ancillary and necessary steps, including the publication and service of all statutory notices and presentation of the Council's case at Public Inquiry, to secure the confirmation of the Orders by the Secretary of State and the vesting of the land in the County Council to include authority to request confirmation of the final Orders with modifications if, in the light of new information, it appears expedient to ensure the confirmation of the Orders.
- (10) That the Chief Legal Officer be delegated authority to acquire all third party interests in land and the properties subject to the Compulsory Purchase Order and as required for the GSRR (whether compulsorily or by agreement) on terms recommended by the Executive Director for Environment and Economy.

(11) That approval be given to the capital scheme appraisal for the Southern Quadrant Link Road ("SQLR") in accordance with paragraph B9 of the Financial Regulations forming part of the Council's Constitution and which is intended to form the third phase of the overall Grantham Southern Relief Road ("GSRR").

(12) That approval be given in principle the procurement and award of a contract for SQLR (phase 3 GSRR).

(13) That the Executive Director of Environment and Economy be delegated authority to agree the final form and approve the entering into of all agreements and contracts necessary to secure the construction and completion of the GSRR (including the SQLR) to include (but without limitation):

(i) the Section 6 Agreement referred to in paragraph 1 above;

(ii) any agreement with the SSfT or DfT whether of a kind referred to in paragraph 4 above or otherwise;

(iii) any contract awarded pursuant to paragraph 12; and

(iv) any contract or agreement made with statutory undertakers, Network Rail or the like in connection with the Scheme.

Options considered As detailed in the report.

Reasons for decision As detailed in the report.

Records of conflicts of interest N/A

Dispensation N/A

Date of publication: 03/01/2017 Deadline for calling in this decision – 5pm on 08/01/ 2018

The above Executive decision will become effective from 09/01/2017 unless any three Members of the Council (or alternatively in the case of Education matters any three non-Councillor voting members) activate the call in process before the above deadline.