

**SUBJECT:** Foul Drainage Easement across Racecourse Farm, Llanfoist.

**MEETING:** Individual Cabinet Member Decision – Phil Murphy

**DATE:** - 8<sup>th</sup> November 2017

**DIVISION/WARDS AFFECTED:** Llanfoist

**1. PURPOSE:**

**1.1** - This report seeks approval to dispose of an easement across a council property asset known as Racecourse Farm to facilitate the increased drainage requirement from the development known as Grove Farm.

**2. RECOMMENDATIONS:**

**2.1** – To approve the disposal of the easement to the owners of Grove Farm for £80,000.

**2.2** – To delegate responsibility to the Estates Manager in conjunction with the Chief Officer for Resources to finalise the terms of the disposal.

**3. KEY ISSUES:**

**3.1** – Racecourse Farm is an area of land within the councils ownership which is let as an agricultural grazing tenancy. The area has some development potential subject to access but the majority lies within C2 floodplain from the River Usk.

**3.2** – The premium payable was negotiated and recommended for approval by an external surveyor with experience in the utilities sector.

**3.3** – Following the construction of the connection the land will be reinstated to allow the agricultural activity to continue.

**3.4** – Racecourse Farm already has a drainage pipe within its curtilage. The new connection to the existing pipe enables the construction of 120 dwellings on the adjoining land known as Grove Farm.

**4. OPTIONS APPRAISAL**

**4.1** – Option 1 was to refuse the connection. The utilities provider has statutory powers to acquire essential infrastructure and has a requisition procedure for new foul sewage connections. This procedure is time consuming and costly. This option was not viable as it would have only delayed

the connection and resulted in a smaller premium being payable as it would have been based on statutory compensation rates.

4.2 – Option 2 was to negotiate a sum with the landowner which reflected the time and cost saved and the compensation which would have been payable. This is the route we chose which resulted in the sum of £80,000 being payable to the council.

## **5. EVALUATION CRITERIA**

An evaluation assessment has been included at Appendix A for future evaluation of whether the decision has been successfully implemented. The decision will come back to this committee in 12 months for review.

## **6. REASONS:**

6.1 – The disposal of the easement to the adjoining landowner for the sum of £80,000 represents a mutually beneficial agreement which allows the development to proceed earlier than if the requisition procedure was undertaken.

## **7. RESOURCE IMPLICATIONS:**

7.1 – The council will receive a premium of £80,000.

7.2 – The adjoining landowner will reimburse the council's legal and surveying costs.

## **8. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):**

The significant equality impacts identified in the assessment (Appendix 1) are summarised below for members' consideration:

The disposal enables the development of 120 houses including affordable housing.

## **9. CONSULTEES:**

Democratic Services officers circulate reports to SLT and Cabinet one week prior to agenda despatch. Any other consultees are the responsibility of the report author.

You should list all the people/organisations that you have consulted as part of the report.

You should also include any amendments made to your report as a result of the consultation with them. For example, any amendments made to the report due to input/recommendations from legal or finance should be included here with a brief description of the amendment/recommendation.

## **10. BACKGROUND PAPERS:**

*None*

**11. AUTHOR:**

Ben Winstanley  
Estates Surveyor

**12. CONTACT DETAILS:**

**Tel:** 01633 644417

**E-mail:** [benwinstanley@monmouthshire.gov.uk](mailto:benwinstanley@monmouthshire.gov.uk)

## Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

<b>Title of Report:</b>	Foul Drainage Easement across Racecourse Farm, Llanfoist.
<b>Date decision was made:</b>	8 <sup>th</sup> November 2017
<b>Report Author:</b>	Ben Winstanley

### What will happen as a result of this decision being approved by Cabinet or Council?

What is the desired outcome of the decision? Disposal of an easement.  
What effect will the decision have on the public/officers? None

12 month appraisal

Was the desired outcome achieved? What has changed as a result of the decision? Have things improved overall as a result of the decision being taken?

### What benchmarks and/or criteria will you use to determine whether the decision has been successfully implemented?

Think about what you will use to assess whether the decision has had a positive or negative effect: Has the development been undertaken.  
Has there been an increase/decrease in the number of users  
Has the level of service to the customer changed and how will you know  
If decision is to restructure departments, has there been any effect on the team (e.g increase in sick leave)

12 month appraisal

*Paint a picture of what has happened since the decision was implemented. Give an overview of how you fared against the criteria. What worked well, what didn't work well. The reasons why you might not have achieved the desired level of outcome. Detail the positive outcomes as a direct result of the decision. If something didn't work, why didn't it work and how has that effected implementation.*

### What is the estimate cost of implementing this decision or, if the decision is designed to save money, what is the proposed saving that the decision will achieve?

Give an overview of the planned costs associated with the project, which should already be included in the report, so that once the evaluation is completed there is a quick overview of whether it was delivered on budget or if the desired level of savings was achieved. The project was incurred no financial cost for MCC

12 month appraisal

*Give an overview of whether the decision was implemented within the budget set out in the report or whether the desired amount of savings was realised. If not, give a brief overview of the reasons why and what the actual costs/savings were.*

Any other comments

