

WIRRAL COUNCIL

DELEGATED DECISION

SUBJECT:	WALLASEY BRIDGE REPLACEMENT SCHEME - LAND ACQUISITION
WARD/S AFFECTED:	SEACOMBE, BIRKENHEAD & TRANMERE; BIDSTON & ST JAMES
REPORT OF:	DIRECTOR OF BUSINESS SERVICES / ASSISTANT CHIEF EXECUTIVE
RESPONSIBLE PORTFOLIO HOLDER:	<i>HOUSING & COMMUNITY SAFETY - COUNCILLOR GEORGE DAVIES</i>
KEY DECISION?	<i>NO</i>

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to seek approval to the acquisition and disposal of land on Tower Road to enable the Wallasey Bridge replacement scheme.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The Council has secured funding to undertake a scheme which involves the replacement of the bridges known as the 'A' and 'C' Bridges on Tower Road. The proposed replacement bridges are wider than the existing and require the acquisition of a number of strips of land to accommodate footpaths etc. Consequently the Council needs to acquire these strips from the relevant property owners.
- 2.2 The Council has had extensive dialogue with one of the owners, Peel Ports, and is about to complete long leases on five of the strips.
- 2.3 The area shown hatched on the attached plan is required for the scheme and is owned by the Homes and Communities Agency (HCA). The HCA owns a larger area as shown edged red on the plan and has offered to sell the whole area to the Council for the sum of £5,000 plus a contribution towards its costs. As part of this land is required on a temporary basis, it was provisionally agreed that the Council would acquire the whole area.
- 2.4 This land is subject to a Covenant which requires the land owner to enter in to a Deed of Covenant which relates to the Birkenhead Impounding System. This would require the owner of the land to contribute to maintenance costs and levies arising from the Birkenhead Impounding System, which relates to the movement and use of water within the Birkenhead dock system. The current owner, the HCA, has never been asked to contribute to the System and the likelihood of the Council receiving such a demand is considered to be remote. However, if imposed, it could be potentially onerous and the Council would be taking a risk, if accepted. Conversely, Peel Ports are reluctant to release the Council from this obligation as, although remote, they feel it still has some relevance.

2.5 This has presented something of an impasse in discussions. However, Peel Ports has proposed a transaction which would see the Council acquire the land from the HCA and then sell the balance of the land not required for the scheme to Peel Ports. Peel Ports would therefore be responsible for the Dock Impounding System and they would remove the requirement for the Deed of Covenant. Peel would also allow the Council to use the land for the duration of the scheme. Peel has offered to acquire the land with a slight reduction for the reduced area and removal of the requirement for the Deed of Covenant for the sum of £4,750, which seems a reasonable approach.

3.0 RELEVANT RISKS

3.1 It is essential that the Council acquires this land as part of the Wallasey Bridge replacement scheme. The proposed transaction aims to remove any liabilities from the Council in respect of the docks Impounding System.

4.0 OTHER OPTIONS CONSIDERED

4.1 The Council could acquire the land from the HCA and enter the Deed of Covenant relating to the Impounding System without involving Peel Ports, although there are risks attached, albeit remote.

5.0 CONSULTATION

5.1 Discussions have been directly with the HCA and Peel Ports.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 There are no implications arising from this report for voluntary, community and faith groups.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 The financial and asset implications are set out in the report.

7.2 There are no IT or staffing implications arising from this report.

8.0 LEGAL IMPLICATIONS

8.1 The disposal will require the preparation of appropriate legal documentation. The legal implications relating to the Dock Impounding System are set out in the report.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 There are no carbon reduction implications arising directly from this report.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 A formal planning application will not be required as the works will be permitted development under Town and Country Planning (General Permitted Development) Order 2015. Sufficient time has been included in the Project Plan for all associated statutory traffic order processes to be conducted.

12.0 RECOMMENDATION/S

12.1 That the Council acquires the land from the HCA and sells the balance to Peel Ports on the terms set out in this report.

13.0 REASON/S FOR RECOMMENDATION/S

13.1 To acquire the land required for the Wallasey Bridge Replacement scheme.

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APPENDICES

Location plan

REFERENCE MATERIAL

No reference material has been used in the preparation of this report.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Strong Leader - Dock Bridges Replacement Major scheme	13/10/2015