

March 2011	ITEM
Delegated Decision Report	
Bridge 1934 Fort Road, Land Acquisition	
Portfolio Holder: Councillor Yash Gupta - Environment	
Wards and communities affected: Tilbury St Chads Ward Tilbury Riverside & Thurrock Park	Key Decision: No
Accountable Head of Service: Andrew Millard, Head of Planning and Transportation	
Accountable Director: Bill Newman, Corporate Director of Sustainable Communities	
This report is Public	
Purpose of Report: To seek approval to acquire land for Highway purposes	

EXECUTIVE SUMMARY

- To seek approval to acquire a small plot of land currently in private ownership for highway purposes. The plot of land next to the railway bridge on Fort Road is needed to allow safety barrier to be installed on the westbound approach to the Council owned bridge.

1. RECOMMENDATIONS:

- 1.1 It is recommended that the Council approves the acquisition of land for highway purposes and to seek to acquire the land by agreement with the private land owner NPower.**

2. INTRODUCTION AND BACKGROUND:

- 2.1** The scheme is included in the Capital bridge maintenance programme for 2010/2011 and comprises the installation of safety barriers at the railway bridge on Fort Road. The safety barriers are to be placed on the approaches and exits to reduce the risk of vehicles leaving the highway.

Investigation has shown that there is insufficient land at the westbound approach to the bridge to allow a safety barrier to be fully located within the highway. The land adjacent to the footway is in private ownership and it is proposed that a small plot of land should be acquired to accommodate the safety barrier. The land is currently in the ownership of the operators of Tilbury Power Station (NPower) and preliminary discussions with them indicate they are happy to transfer this small parcel of land at nil cost other than reimbursement of reasonable legal fees.

As part of the scheme, fencing works will be carried out to the rear of the safety barrier to delineate the high boundary and to ensure that pedestrians do not fall down the steep embankment in this vicinity. The fencing will be extended to tie in with the existing fence line which is the responsibility of the landowner. The proposal is for new fence to be maintained by NPower.

3. ISSUES AND/OR OPTIONS:

- 3.1 The safety barrier is an essential requirement to provide vehicular containment on the highway to mitigate the risk of vehicles leaving the highway and encroaching onto the nearby railway

An alternative to land acquisition was investigated to locate the safety barrier in existing highway land, however this meant that footway width would be reduced for pedestrians and would necessitate the diversion of utility plant in the vicinity. The cost for diverting utility plant would be very expensive and therefore this option was not considered to be a viable alternative.

4. CONSULTATION (including Overview and Scrutiny, if applicable)

- 4.1 Ward Councillors were consulted between 11th March and 25th March 2011. Cllr Liddiard replied and had no objections. Cllr Colgate and Cllr Okunade did not reply.

5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

- 5.1 None

6. IMPLICATIONS

6.1 Financial

Implications verified by: **Meiner Hall**
 Telephone and email: **01375 652147**
mhall@thurrock.gov.uk

Professional fees associated with the capital works that are being carried out can be met from the capital budget.

6.2 **Legal**

Implications verified by: **Remi Aremu**
Telephone and email: **01375 652994**
RAremu@thurrock.gov.uk

Under Section 120 of the Local Government Act 1972 the Council may acquire by agreement any land for the purpose of any of their functions under that or any other enactment or for the benefit, improvement or development of their area.

Under the Council's Constitution Corporate Directors have delegated power to take the decision to acquire land for any purpose within the scope of their Directorate's functions subject to financial and virement limits applicable to such Directors and subject to Chapter 9, Part 3, Paragraph 5.4 of the Constitution which requires the authorisations of the Director of Finance and Corporate Governance and Director for Sustainable Communities to deal with any interest in land.

Thurrock legal Department to prepare transfer documents to acquire the land for highway purposes. The land will then form part of the highway for maintenance at public expense.

6.3 **Diversity and Equality**

Implications verified by: **Samson DeAlyn**
Telephone and email: **01375 652472**
sdealyn@thurrock.gov.uk

There are no direct diversity implications arising out of this report.

6.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

None

7. **CONCLUSION**

7.1 Approval is sought to acquire a small plot of land currently in private ownership for highway purposes. The plot of land next to the railway bridge on Fort Road is needed to allow a section of safety barrier to be installed on the westbound approach to the Council owned bridge. The safety barrier is an essential safety component to provide vehicular containment on the highway.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- None

APPENDICES TO THIS REPORT:

- Plan number K54343-VBC-03C-D1-0015-D

Report Author Contact Details:

Name: John Devono

Telephone: 3325

E-mail: jdevono@thurrock.gov.uk