

CHESHIRE EAST COUNCIL

Cabinet Member for Procurement, Assets and Shared Services

Date of Meeting:	14/03/2011
Report of:	Assets Manager
Subject/Title:	Grant of an Easement at Wilmslow Park, Wilmslow
Portfolio Holder:	Councillor Peter Mason

1.0 Report Summary

- 1.1 The purpose of this report is to consider a request from National Grid for the Council to grant an easement to install a pipeline on land at Wilmslow Park, as shown in red on the attached plan.

2.0 Recommendation

- 2.1 Following consultation with our Health & Wellbeing Department, to approve the grant of the easement over the land on terms and conditions to be determined by the Asset Manager and the Borough Solicitor.

3.0 Reasons for Recommendations

- 3.1 The Council will receive a consideration for granting the right.
- 3.2 The existing gas pipe needs to be replaced.
- 3.3 The easement will not adversely affect the land. National Grid will be responsible for reinstating the condition of the land following completion of any works.

4.0 Wards Affected

- 4.1 Wilmslow North

5.0 Local Ward Members

- 5.1 Councillor Jim Crockatt
Councillor Don Stockton
Councillor Paul Whiteley

6.0 Policy Implications

None

7.0 Financial Implications

- 7.1 National Grid will pay the Council a contribution of £3,024 for the easement as well as £969 towards legal and surveyor's fees.

8.0 Legal Implications

- 8.1 Section 123 of the Local Government Act 1972 provides that a local authority may dispose of land it holds on such terms as it chooses but the Secretary of States consent is required if the disposal is for less than the best consideration reasonably obtainable. "Land" is defined as including any "any interest in land and any easement or right in, to or over the land".

9.0 Risk Management Implications

- 9.1 There are no risks associated with the grant of an easement to National Grid.

10.0 Background and Options

- 10.1 The land is designated as public open space and is currently managed by the Council's Health and Wellbeing Department. The land is currently used for recreational purposes and is not subject to any other leases or licences to third parties.
- 10.2 The works are part of National Grid's larger replacement scheme in the area and the majority of works will be taking place this year. A number of the steel gas pipes have now come to the end of their life span and require replacing.
- 10.3 In some cases the plastic pipe can be slip lined into the old steel pipe but this will not be suitable for this route as it would result in lengthy cut offs and disruptions to the local gas supply.
- 10.4 The laying of this proposed route is scheduled to commence in the spring, with the route taking around a month to lay and back fill. The working area needed will be securely fenced for both security and safety and this will allow the footpath through the park to remain open.
- 10.5 The route National Grid has developed aims to cause minimum disruption to the park and its users.
- 10.6 A schedule of condition will be undertaken prior to the commencement of the works to ensure that the land is not damaged during the works.
- 10.7 National Grid will ensure that the land remains stock proof at all times.
- 10.8 National Grid will pay the Council a contribution of £3,024 for the easement as well as £969 towards legal and surveyor's fees.

11.0 Access to Information

- 11.1 The background papers relating to this report can be inspected by contacting the report writer:

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