

DECISION NOTICE

Notice is given that the following decision has been taken under the Provisions set out in the Council's Constitution

Decision maker: Portfolio Holder Finance

Date: 15 December 2014

Decision in the matter of: A34 Alderley Edge and Nether Alderley By-Pass Compulsory Purchase Order 2004

Decision: That the eligible sum, as detailed in the report, be paid to the Claimant, in full and final settlement of the Claimants' claim for compensation for land taken plus the Claimant's professional fees and statutory interest arising out of the A34 Alderley Edge and Nether Alderley Bypass Compulsory Purchase 2004.

Background: The Cheshire County Council (A34 Alderley Edge and Nether Alderley Bypass) Compulsory Purchase Order 2004 had been made in accordance with a decision of the Environment Strategic Committee of the former Cheshire County Council, on 10 March 2004, and subsequently confirmed by the Secretary of State.

Notices to enter and treat were served in relation to land in the ownership of the Claimant, shown edged red on the plan attached to the report, and comprises an area of approximately 0.53 hectares. The date of entry was 8 November 2008. The site at the date of entry was landscaped. The Claimant subsequently obtained a Certificate of Appropriate Development under S17 of the Land Compensation Act 1961, for a small residential scheme for which planning permission would have been granted had the site not been acquired by the authority possessing compulsory purchase powers. The site concerned was used for landscaping and protected species migration. The decision notice from the Planning Authority was granted in January 2012 (12/0305M) and it granted a deemed consent for a small residential scheme had the land not been taken by compulsory powers.

The claimants are entitled to compensation for loss of development value and professional costs and the total payable was agreed on 10 September 2014. To date no surveyors' costs have been paid or out of pocket expenses + VAT; the final fee invoice has not yet been submitted and, therefore, fees are to be agreed with the agents subject to the receipt of final invoices to avoid delays.

Background Documents: The background papers relating to this report can be inspected by contacting the report author.

Approved:

Signed
Councillor Peter Raynes (Cabinet Member for Finance)

Date:

15 December 2014

**Advising
Officer:**

Signed
Adrian Williams (Senior Surveyor)