



DECISION OF SECTION 151 OFFICER OF THE COUNCIL,
CORPORATE SERVICES DIRECTORATE

DECISION NO: CSD43

SUBJECT:

ACCESS ROAD TO BAYTREE RECREATION GROUND – GRANT OF EASEMENT

BACKGROUND:

The Council owns the Baytree recreation ground access lane, as shown in red outline on the attached plan. The land to the rear of 4 Baytree Road, shown in blue outline on the plan is currently being redeveloped for residential purposes and the owner of the site has requested that the Council give permission to route a storm water drain over the red hatched line to a manhole located in the rear garden of 10 Baytree Road.

The developer has an alternative option to drain the site by connecting into a manhole in Baytree Road, close to the access to the council's lane. This option is more costly and will result in the road being dug up with associated disruption to local traffic.

It has been provisionally agreed therefore, subject to approval, to grant the developer an easement to cross the lane along the hatched line under the following terms and conditions:

1. The Council to grant an easement in perpetuity over the land shown red hatched on the attached plan.
2. The grantee will pay a single sum of £1,500 in consideration of the grant of the easement.
3. The works will be undertaken on a date to be agreed by the Council and the land reinstated to the Council's satisfaction.
4. The grantee will reimburse the Council's surveying and legal costs incurred in granting the easement.

The works and reinstatement will take around two days to complete and the drain will be maintained by Wessex Water.

The proposal has been approved in principle by D&E officers.

DECISION:

Approval be given to grant an easement to the owner of the development site in accordance with the terms and conditions set out in this report.

Reasons:

The proposed grant will bring income into the Council whilst minimising local disruption potentially caused if the drain was connected into the Baytree Road manhole.

Other Alternatives Considered:

See above.

Financial Implications:

None – the Council will receive a lump sum and all costs incurred will be reimbursed by the grantee. The grantee or successors in Title will also be responsible for the future maintenance of the drain.

Implications for Future Years:

None.

Signed: 
Section 151 Officer, North Somerset Council

Dated: 31/08/16



St Peter's Church

**Land Rear 4 Baytree Road WSM
Easement Plan**



**Property and Asset
Management**

Castlewood, Tickenham
Road, Clevedon, BS21
6FW

Scale: 1:500
Drawn by: Stuart Bates
Date: 23 August 2016
Time: 15:42:43



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