

**HAMPSHIRE COUNTY COUNCIL****Executive Decision Record**

<b>Decision Maker:</b>	Executive Member for Economy, Transport and Environment
<b>Date:</b>	9 September 2014
<b>Title:</b>	Knowle Village Bus Gate – Report on proposed adoption
<b>Reference:</b>	6035
<b>Report From:</b>	Director of Economy, Transport and Environment

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**1. The decision:**

- 1.1. That the County Council proceeds no further in the proposed adoption of Knowle Village Bus Gate, leaving the operation and maintenance of the bus gate to Berkeley Homes and the Management Company under the terms of the Unilateral Undertaking, and that the bus gate adoption scheme be withdrawn from the County Council's 2014/2015 Capital Programme.

**2. Reasons for the decision:**

- 2.1. To seek confirmation on the long term ownership and maintenance issues of the Knowle Village bus gate.
- 2.2. The bus gate currently sits on land owned by Berkeley Homes, the Land Trust, and private party land. Whilst Berkeley Homes and the Land Trust are happy to dedicate the land necessary to allow for the bus gate and associated infrastructure to be adopted by the Highway Authority, the private party will not dedicate the land. Instead, the private party would be willing to enter into a licence agreement allowing the County Council access and maintenance rights, but this runs the risk that they could withdraw rights of access at any time.
- 2.3. With the current situation, the responsibility for the operation and maintenance of the bus gate remains, together with the risk element associated with the ownership issues, with the management company as part of a Unilateral Undertaking dated 20<sup>th</sup> December 2005 and submitted by Berkeley Homes to the County Council.
- 2.4. Should Hampshire County Council agree to take on responsibility and ownership of the risk, £188,000 of developer contributions have been set aside to fund the cost of the scheme. To date detailed design of the scheme has not been carried out as work has only been carried out on the signing

and land requirements. However, initial indications are that the scheme will require all of this funding, with the ongoing maintenance costs being in the region of £7,500 per annum.

- 2.5. Mayles Lane itself is a private road which was until recently owned by the Homes and Communities Agency but is now under the ownership of the Land Trust. Even if all of the land owners agreed to dedicate the land necessary to adopt the bus gate, the bus gate will still lead onto privately owned land meaning that the Land Trust could withdraw rights of access for buses at any time.

**3. Other options considered and rejected:**

- 3.1. To pursue the option of land acquisition through Compulsory Purchase Order: this was not considered financially viable given that the benefits to the County Council from acquiring the land are limited and Mayles Lane itself would still remain in private ownership.
- 3.2. Proceed with the adoption of the bus gate at a cost of circa £188,000 using a licence agreement and run the risk of permission being withdrawn at any time; this option was rejected given the initial capital outlay and ongoing maintenance costs associated with the bus gate when compared with the benefits to the County Council that adopting the bus gate would bring.

**4. Conflicts of interest:**

- 4.1. Conflicts of interest declared by the decision-maker:
- 4.2. Conflicts of interest declared by other Executive Members consulted:

**5. Dispensation granted by the Conduct Advisory Panel: none.**

**6. Reason(s) for the matter being dealt with if urgent: not applicable.**

**7. Statement from the Decision Maker:**

<b>Approved by:</b>  -----	<b>Date:</b>  <b>9 September 2014</b>
<b>Executive Member for Economy, Transport and Environment Councillor Seán D T Woodward</b>	