

Decision details

Cornwalls Meadow Car Park - Grant of Easement to Crown Care Developments II Limited

Decision Maker: Corporate Property Manager

Decision status: Recommendations Approved

Is Key decision?: No

Is subject to call in?: No

Decision:

To amend the proposed grant of Easement to Crown Care Developments II Limited to include additional rights of access and services, and on payment of a further consideration sum as agreed by both parties.

Reasons for the decision:

The council has been in negotiations with Crown Care for a grant of easement for access over part of Cornwalls Meadow Car Park, Buckingham for some time. The easement granted an option for a right of way across the council's land into Crown Care's development, which was for a sum as agreed between the two parties. The matter was due to complete by 31 March 2019 and the easement granted.

However, on final due-diligence carried out by the grantee's solicitor it transpired that the easement did not contain the correct rights. One access was negotiated in the agreement; however that access is not needed and two access points are required. In addition, service connections for drainage and utilities will need to be made to the services in Cornwalls Meadow. Easements to lay service media across the Council's ownership from the site to the mains supplies in Cornwalls Meadow with rights thereafter to use, inspect, repair, renew and replace the same, also need to be granted.

The grantee is keen to get the matter resolved, and on further negotiation has agreed to pay the Council an additional consideration for the additional rights.

Alternative options considered:

None.

Interests and Nature of Interests Declared:

Not consulted.

Publication date: 30/04/2019

Date of decision: 29/04/2019