

**6<sup>th</sup> February 2018**

**Policy Projects and Resources Committee**

**Devils Head Cross Roads – Dedication of Land for Highway Purposes**

**Report of:** *Adrian J Tidbury Estates and Valuation Surveyor Portfolio Development*

**Wards Affected:** *Warley*

**This report is:** *This report is public*

**1. Executive Summary**

- 1.1 This report considers a request from Essex Highways for an extension to the Highway Rights over the Council land title at these cross roads

**2. Recommendation(s)**

- 2.1 That the land coloured red on the plan be dedicated as highway.**
- 2.2 That delegated authority be given to the CEO in consultation with the Leader of the Council to finalise agreements with ECC in regards to safety improvements at Devil's Head crossing.**

**3. Introduction and Background**

- 3.1 Members will be aware that the safety of traffic negotiating this junction has been considered by this Council on many occasions over that last 30 years during the time that this Council acted as the Agent Highway Authority for Essex County Council.
- 3.2 Members will also be aware that the proposal for a conventional roundabout to be constructed by the Highways Authority Essex County Council was withdrawn in 2010 due to the cost of the project and complexity of land acquisition.

**4. Issue, Options and Analysis of Options**

- 4.1 Essex Highways have recently approached the Council regarding a further low-cost highway improvement scheme in the form of road widening around the bell mouth of the Hartswood Road onto Eagle Way and The Avenue.

- 4.2 Part of the land need to accommodate this localised widening scheme is land in the ownership of Brentwood Borough Council and which does not form part of the public Highway maintainable at public expense. The parcel of land required is shown in the appendix coloured pink and measures 49m<sup>2</sup>.
- 4.3 The land coloured green in the appendix and measuring some 360m<sup>2</sup> is land not required to be dedicated as highway but land to be cleared of existing vegetation and replanted as part of the accommodation works for the project, with low growing vegetation in order to improve the existing visibility splay for vehicles exiting Hartswood Road.
- 4.4 Members will be aware that land dedicated to the Highway remains in the ownership of the land owner in terms of the subsoil. The responsibility for the maintenance of the land transfers to the Highway Authority which in this case will be Essex County Council. Future maintenance of the areas coloured green will remain with Brentwood Borough Council
- 4.5 All costs associated with the improvement scheme will be borne by Essex County Council.

## **5. Reasons for Recommendation**

- 5.1 To enable safety improvement works as proposed by Essex County Council to be carried out at the junction of Hartswood Road and Eagle Way, Devils Head Crossroads.

## **6 Consultation**

- 6.1 No formal consultation has been undertaken

## **7 References to Corporate Plan**

- 7.1 The Council is committed to make Brentwood a Borough where people feel safe, healthy and supported.

## **8 Implications**

### **Financial Implications**

**Name & Title: Phoebe Barnes, Principal Accountant (revenue)**  
**Tel & Email: 01277 312 839 phoebe.barnes@brentwood.gov.uk**

- 8.1 There are no financial implications to the Council for land to be dedicated as highway. If there are any costs associated to this arrangement these are to be paid by Essex Highways.

**Legal Implications**

**Name & Title:** Daniel Toohey, Monitoring Officer

**Tel & Email:** 01277 312860 / [daniel.toohey@brentwood.gov.uk](mailto:daniel.toohey@brentwood.gov.uk)

- 8.2 A Highways Authority may enter into an agreement for the dedication of land for the purposes of highways widening under section 72 Highways Act 1980. The Council may dedicate the relevant land for highways widening purposes by way of a deed of dedication.
- 8.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.
- 8.4 None.

- 9 Background Papers** (include their location and identify whether any are exempt or protected by copyright)

**10 Appendices to this report**

Appendix A – map

Appendix B – map

**Report Author Contact Details:**

**Name:** Adrian J Tidbury

**Telephone:** 312678

**E-mail:** [adrian.tidbury@brentwood.gov.uk](mailto:adrian.tidbury@brentwood.gov.uk)