

5 LICENCE TO OCCUPY LAND OWNED BY NYNAS - PORT BYPASS CYCLE LINK (AN9-2014)

In order to carry out initial site clearance works for the new Port Bypass Cycle Link, Dundee City Council and their appointed contractors will require temporary access to the land owned by Nynas for the period 20 January 2014 until 31 March 2014.

In view of the limited timescales available, authority is therefore sought for the Head of Democratic and Legal Services to enter into an appropriate specific Licence to Occupy agreement with Nynas to suit this phase of the project.

The Committee will be aware of the Dundee City Council led project to create a new cycle link that will bypass the operational part of the Port of Dundee. This 750 metre cycle link will take cyclists and pedestrians on a traffic free route from Greendykes Road down to Roodyards Bridge. This is to be funded by Sustrans (£125,000) and VDLF (£185,000).

Approximately 300 metres of the route will run over land owned by Nynas, owners of the adjacent oil refinery. Discussions have been on-going regarding a legal agreement that will enable the cycle link to be constructed. It is expected that Nynas UK board approval will be forthcoming, but not until late February or March.

To make a start on this project, and to demonstrate to funders that progress is being made, Nynas has agreed that Dundee City Council can undertake some initial site clearance and preparatory works on the Nynas owned land. To enable this, Dundee City Council will require a Licence to Occupy. It is intended that this Licence will run from 20 January 2014 until 31 March 2014. This is sufficient time to allow for completion of this first phase of works, and for Nynas's UK Board to formally agree and sign the legal agreement to enable the project.

In view of the limited timescales available, authority is therefore sought for the Head of Democratic and Legal Services to enter into an appropriate specific Licence to Occupy agreement with Nynas to suit this phase of the project.