

**STOCKTON-ON-TEES BOROUGH COUNCIL**

**CABINET RECOMMENDATIONS**

**PROFORMA**

Cabinet Meeting .....7th September 2006

1. Title of Item/Report

North Shore Compulsory Purchase Order and Disposal of Land in Council Ownership

2. Record of the Decision

Cabinet considered a report that provided an update on the progress of the North Shore project and requested approval for the use of the Council's Compulsory Purchase Order (CPO) powers to acquire land to facilitate the development and to delegate authority to agree the terms of the sale of land in Council ownership needed to facilitate the development.

Cabinet was reminded that Tees Valley Regeneration (TVR) were the responsible agency for the delivery of the North Shore project in Stockton. The core North Shore site was a 56 acre development project proposed for the site which occupies a prime waterfront position on Stockton's Riverside between the Tees Barrage and Princess Diana Bridge.

AMEC/Urban Splash had been chosen as the private sector partners with TVR to implement the scheme and Heads of Terms had been agreed.

Acquisition of land and premises was needed to enable the scheme to progress. TVR had requested that the Council allow the use of its compulsory purchase powers to back up the acquisition process. The relevant powers were vested in the Council through the Town and Country Planning Act 1990 (as amended by section 99 of the 2004 Planning and Compulsory Purchase Act). The extent of land currently known to be required for the North Shore scheme, and as yet not in English Partnership's (EP) or TVR's control, was provided on a plan for Members information. EP and/or TVR would continue to attempt to acquire the required land by agreement, however the CPO would become necessary if agreement could not be reached. All of the land was required for the project to be successful.

It was explained that there were several pockets of land in Council ownership within the area designated for development for the North

Shore scheme. These were also provided to Members on a plan. It was proposed that negotiations take place between relevant officers and that the decisions regarding agreements of the sale to EP/TVR be delegated to the Corporate Director of Development and Neighbourhood Services in consultation with the Director of Law and Democracy and the Cabinet Member for Regeneration and Transport.

Cabinet were informed of a number of Financial issues relating to the CPO and the Sale of Council Owned Land:-

The financial costs of the CPO would met by English Partnerships (EP) / Amec / Urban Splash including but not exclusively the legal costs of the making and confirmation of the CPO, any Inquiry costs, the acquisition costs and compensation payable.

Land acquired by Stockton on Tees Borough Council (SBC) through the CPO process would be transferred to EP at £1 subject to the Council being reimbursed for its CPO compensation and CPO costs. (The Council would not retain the land)

VAT issues regarding the CPO and the sale of Council land to EP/ Amec /Urban Splash were being being investigated and discussions were ongoing. The future agreements would ensure that VAT implications on the Council were eradicated or minimised.

All fees, including legal and surveyors fees, incurred by teh Council in the disposition of the land, would be paid for by English Partnerships / Amec / Urban Splash

A capital receipt would be received from the sale of the land in Council ownership and negotiations with English Partnerships on the purchase price were ongoing

RESOLVED that

1. approval be given to the use of the Council's Compulsory Purchase powers under section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by section 99 of the Planning and Compulsory Purchase Act 2004) to acquire the land and premises required for the implementation of the North Shore regeneration scheme indicated in the plan attached to the report at Appendix 1 or such other land as may be agreed with the Corporate Director of Development and Neighbourhood Services and in relation to the authority to use CPO powers hereby given, members agree:

1.1 That the acquisition of the land will facilitate the carrying out of development, re-development or improvement on or in relation to the land

1.2 That the development, re-development or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the area

2. Authority be delegated to the Corporate Director of Development and Neighbourhood Services in consultation with the Director of Law & Democracy and Cabinet Member for Regeneration and Transport to take all actions necessary in accordance with the serving of Requisitions for Information, the making of the CPO, the representation of the Council in relation to any Inquiry, the confirmation of the CPO if authorised to do so by the Secretary of State, the actions necessary following the confirmation of the CPO either by the authority or the Secretary of State, and consequent orders including the service of Notices to Treat or General Vesting Declaration , and all other notices, orders or actions required to give effect to the authorisation to acquire the land compulsorily.

3. Authority be delegated to the Corporate Director of Development and Neighbourhood Services in consultation with the Director of Law and Democracy and Cabinet Member for Regeneration and Transport to agree terms with English Partnerships regarding the sale of land in Council ownership required as indicated on the plan at Appendix 1 to the report or as otherwise agreed by the Corporate Director of Development and Neighbourhood Services, enabling the delivery of the North Shore scheme.

4. Authority be delegated to the Corporate Director of Development and Neighbourhood Services in consultation with the Director of Law and Democracy and Cabinet Member for Regeneration and Transport to authorise the stopping up or closure of any necessary highways under the most appropriate legislation to facilitate the implementation of the North Shore project.

3. Reasons for the Decision

To facilitate the implementation of the North Shore project.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

Councillor Coleman declared a personal, non prejudicial interest in the item as he was a Member of North Shore Board

6. Details of any Dispensations

Not applicable

7. Date and Time by which Call In must be executed

By no later than midnight on Friday 15th September 2006

Proper Officer  
11 September 2006