

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting14th June 2012

1. Title of Item/Report

Swainby Road Housing Regeneration Scheme Update

2. Record of the Decision

Consideration was given to a report that provided an update on the Swainby Road Housing Regeneration scheme and sought approval for a number of critical next steps that would enable the successful progression of the project.

Members were informed of the progress made in decanting residents and in acquiring both private and commercial premises.

It was explained that there were a small number of property owners who were either unwilling to enter into property negotiations or where agreement could not be reached. Members noted that all attempts at negotiation would continue, however, in order to ensure that the scheme proceeded Cabinet was asked to approve the use of the Council's Compulsory Purchase Order (CPO) powers under the Town and Country Planning Act 1990 (Section 226(1)(a)) and the Acquisition of Land Act 1981 in order to acquire all necessary interests (in line with the plan attached at Appendix A to the report) and approve the use of all actions and orders etc. that may be necessary to deliver the CPO.

Members noted that whilst no firm timescales could be given to the CPO process, it was anticipated that the likely time from Cabinet approving the use of CPO powers, to gaining vacant possession of remaining property interests within the area was likely to be in the order of 12/18 months, however, timescales were variable and would be impacted by a number of factors.

In order to secure a CPO the Council had to demonstrate that the scheme was deliverable financially and Members were provided with details that showed that this was the case.

Members were reminded that the Council had signed a Funding Agreement with the HCA, this Agreement was intended to financially support the regeneration of both the Swainby Road and Parkfield/Mill

Lane (phase 2) housing regeneration schemes. In accordance with this agreement the Council was required to undertake a 'master planning' exercise for the Swainby Road site. This exercise concluded in late 2011 and was undertaken in full consultation with officers across a number of council service areas and the local community. The purpose of the master planning exercise was to establish design and development principles which would guide the redevelopment of the site. An 'Urban Development Brief' had subsequently been drafted and had been forwarded to the HCA in order for it to review and formally endorse. This document set out the Council's planning requirements and expectations for the future redevelopment of the site.

Its intention was to offer advice and guidance to all potential developers to ensure that the redevelopment was of a high quality and made a positive contribution to the Northern Gateway area.

It was the Council's intention that the Swainby Road re-development would provide 'mixed' tenure housing (i.e. housing for sale and rent). The Urban Design Brief clearly stated that the new development must include a minimum 30 units of affordable housing or 15% of the total number of new units to be delivered (whichever was the greater). Tristar Homes were the Council's appointed Registered Provider for the site; the housing mix for the new affordable rented units would be informed by the housing needs of a small number of tenants who had indicated a wish to return and the broader housing requirements for this area of the Borough.

Once the HCA had signed-off the Urban Development Brief (a requirement of the Funding Agreement), it was then the Council's intention to use the HCA's 'Delivery Partner Panel' (DPP) to progress the appointment of a private sector development partner/s.

The DPP had been designed by the HCA to help deliver on housing commitments, attract investment by making the procurement of partners simpler and more streamlined. The DPP was only launched by the HCA in January 2010 and was therefore not available for use on previous housing regeneration schemes (Mandale, Hardwick and Parkfield Phase 1). The DPP was fully OJEC compliant and offered some distinct advantages to the Council in terms of reducing the timescales for appointing a developer partner and reducing legal and procurement costs. In summary, the HCA had undertaken the 'front end' of the procurement process by providing the Council with access to a pre-qualified list of 17 organisations. The Council had reviewed the 17 organisations and could confirm that this listing did include the leading private house builders/developers operating within the region.

In order to appoint a panel member a 'mini-competition' would take place

and ultimately draw down the services of one of the 17 organisations. The procurement process to be adopted and an indicative timetable was detailed for members.

RESOLVED that

1. in relation to the Compulsory Purchase Order (CPO):

a. It be agreed that the acquisition of the necessary outstanding properties would facilitate the development/redevelopment or improvement of the land shown on the Plan at Appendix A and would contribute to the achievement of the promotion of the economic, social or environmental well-being of the area.

b. the use of the Council's CPO powers, under the Town and Country Planning Act 1990 (Section 226(1)(a)) and the Acquisition of Land Act 1981 to acquire all necessary interests in respect of the area indicated at Appendix A, be approved

c. all necessary actions be approved 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, the actions necessary following the confirmation of the CPO either by the authority or the Secretary of State and consequent orders or actions including the service of Notices to Treat or the making of a General Vesting Declaration, and all other notices, orders or actions required to give effect to the authorisation to acquire the land compulsorily.

2. the progress made to date in terms of decanting scheme residents and in acquiring both private and commercial premises be noted

3. the use of the Homes and Community Agency Developer Partner Panel to appoint a private sector partner to redevelop the site be noted.

4. the processing of (any necessary) Traffic Regulation Orders, Stopping Up Orders or other necessary orders, notices or other actions associated with the future development of the site by the Director of Law and Democracy be approved.

3. Reasons for the Decision

The interventions and next steps proposed would contribute to the delivery of the Council's housing regeneration ambitions for the borough and bring improvements to both housing and quality of life for residents in the Swainby Road area.

4. Alternative Options Considered and Rejected
None
5. Declared (Cabinet Member) Conflicts of Interest
None
6. Details of any Dispensations
Not applicable
7. Date and Time by which Call In must be executed
Not later than midnight on Monday 25 June 2012

Proper Officer
03 April 2012