

Chichester District Council

THE CABINET

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Update on Tangmere Strategic Development Location Compulsory Purchase Order

1. Contacts

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2. Recommendation

2.1 That the Cabinet recommends to the Council to allocate a sum of £150,000 from the remaining Planning Delivery Grant Reserve and General Reserve to fund the continued work on the Compulsory Purchase Order in respect of the Tangmere Strategic Development Location.

3. Background

- 3.1 The purpose of this report is to provide an update on progress of the Compulsory Purchase Order (CPO) and to seek approval for additional funding in respect of the CPO process in order to ensure delivery of the strategic development location at Tangmere.
- 3.2 The site at Tangmere is identified in the Chichester Local Plan: Key Policies (the Local Plan) as a Strategic Development Location (SDL) for the provision of 1,000 homes and associated infrastructure including a school, open space and community facilities. The site is fundamental to the delivery of the housing requirement identified in the Local Plan and for the Council to be able to continue to demonstrate a 5 year housing land supply. The site is also identified for development in the Tangmere Neighbourhood Plan. The Neighbourhood Plan provides development and design guidance which will provide the context for masterplanning of the development.
- 3.3 At its meeting in July 2017, Cabinet resolved to support use of Compulsory Purchase Order (CPO) powers to facilitate comprehensive development of the Tangmere SDL and CPO advisors were retained to help facilitate this process. Further background to the CPO process is set out in previous reports to Cabinet (7 June 2016 and 11 July 2017).
- 3.4 **CPO Update:** as identified in the previous Cabinet report, officers are undertaking the necessary steps to facilitate development of the Tangmere SDL

and work has commenced on the formal process to make a CPO. The timetable for the project is outlined below.

Project	Date (by end of)
Section 16 Notices served (Referencing Agency)	January 2018
Selection of Development Partner (Knight Frank leading)	April 2018
Signing of development agreement	July 2018
Masterplan completed	August 2018
Statement of reasons (necessary for CPO – Davitt Boulton leading)	August 2018
Council resolution to make CPO	September 2018
Planning application submitted	January 2019
CPO Inquiry to start	March 2019
Resolution to grant planning permission	April 2019
CPO Inspector decision	July 2019
Vacant possession secured	November 2019
Start on site	January 2020

- 3.5 **Work carried out to date:** The Council has continued to endeavour to facilitate the delivery of the strategic development by the landowner/developer consortium and is available to engage in discussions on preparation of a masterplan and the pre-planning application process. Officers and members have met with the consortium once since the Cabinet last considered progress on delivery of the SDL in July 2017. However, that meeting demonstrated that the consortium has still not made any meaningful progress and there appears to be no realistic prospect of any agreement among the consortium members to work together to deliver the scheme. Delivery of the scheme without recourse to a CPO is considered unlikely, unless there is a significant change in approach from the consortium in the short term. Work to deliver the site through the CPO mechanism therefore continues and is likely to increase significantly over the coming months as can be seen from the timetable above.
- 3.6 The Council has employed a referencing agency (Persona) to send out letters to anyone with an interest in the SDL land. This is an important first stage in the CPO process, and initial letters were sent to all parties in January 2018. These have been followed up with a formal request for information related to ownership and interests.
- 3.7 The Council's CPO advisors Knight Frank have also begun work on selecting a developer partner, in line with the above timeline.

4. Outcomes to be Achieved

- 4.1 The single outcome to be achieved is the appropriate development of the Tangmere SDL in accordance with the policies set out in the Chichester Local Plan and the Tangmere Neighbourhood Plan.

5. Proposal

- 5.1 There is a need for on-going specialist advice on the CPO process, and in line with the resolution of Cabinet (July 2017) the Council's CPO advisors have been retained. These are Knight Frank (CPO advisor), Citicentric (CPO surveyor/non legal advice) and Davitt Bould (legal advice).
- 5.2 In order to deliver the CPO project within the identified timeframe and to minimise the impact on progress on the Local Plan review process, an additional project management resource is now required to support the necessary work. Officers are in discussions to engage this advice which will necessitate additional funding. Ongoing work by the retained CPO advisors to deliver the CPO will also require further funding, in the region of £60,000 and it is estimated that up to £70,000 is likely to be required for ongoing legal, surveying and other specialist advice and contingencies. It is therefore requested that an additional £150,000 is provided to continue to fund this important project.

6. Alternatives Considered

- 6.1 To not pursue a CPO and rely on the submission of a comprehensive masterplan and planning application by the site promoters. It should be noted that even if a masterplan and planning permission could be achieved this would not necessarily facilitate the delivery of the site in the absence of a formal agreement between the landowners. This alternative is still possible, although given the lack of progress so far it appears unlikely.

7. Resource and Legal Implications

- 7.1 At the Cabinet meeting on 7 June 2016 a sum of up to £100,000 was allocated from the Planning Delivery Grant and General Reserve to fund a registered valuer and specialist solicitor. As work on the CPO progresses, it is now necessary to allocate additional funding to the project. It is estimated that a further £150,000 is required to support the CPO process and it is suggested that this is made up of Planning Delivery Grant Reserve (approximately £25,500) together with a further sum of £124,500 from the Council's General Fund Reserves. It should be noted that there is potential for the Council to recoup its costs as part of the CPO, through its developer partner.

8. Consultation

- 8.1 The Council's external advisors including the CPO Solicitor have been consulted.

9. Community Impact and Corporate Risks

- 9.1 The primary intention of the Tangmere Neighbourhood Plan is to shape how and where the allocated 1000 new homes and associated infrastructure are provided. The identification of the site for development is fundamental to the delivery of the Local Plan and Neighbourhood Plan.

- 9.2 There may be a negative impact if the Tangmere SDL is not delivered in line with the Local Plan strategy in terms of the Council's five-year housing land supply. If there is not a five year housing land supply the Council will be at risk of an increase in speculative planning applications and appeals.
- 9.3 There are potential strategic risks arising from the CPO process to deliver the Tangmere SDL, such as negative publicity. However, these have been weighed against the reputational risks to the Council of being perceived as failing to deliver the housing identified in the adopted Local Plan.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime & Disorder		x
Climate Change		x
Human Rights and Equality Impact An equalities impact assessment will need to be undertaken on the proposals in a CPO.	x	
Safeguarding and Early Help		x
Other		x

11. Appendices

11.1 None

12. Background Papers

12.1 None