



**Author/Lead Officer of Report** Tammy Whitaker,  
Head of Regeneration and Property Services

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**Report of:** Tammy Whitaker, Head of Regeneration and Property Services  
**Report to:** Laraine Manley The Executive Director - Place  
**Date of Decision:** 4<sup>th</sup> March 2020  
**Subject:** **Parkwood Springs Leisure Destination – Proposed Appropriation of Land For Planning Purposes**

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? Finance and Resources		
Which Scrutiny and Policy Development Committee does this relate to? Economic and Environmental Wellbeing Scrutiny and Policy Development Committee		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number)</i>		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		

**Purpose of Report:**

This report seeks approval for the Council to appropriate, under Section 122 of The Local Government Act 1972 and Section 232 of The Town and Country Planning Act 1990, all land interests it currently owns in the area of land shown edged red on the plan at Appendix A (the "Parkwood Springs Leisure Destination") for planning purposes.

**Recommendations:**

That the Executive Director of Place:

1. Is satisfied that such land within the blue line on the attached plan that is not held in general estate or is already held for planning purposes is surplus to requirements
2. approves the appropriation for planning purposes of all parts of the land within the blue line on the attached plan currently owned by the Council that are not currently held for such purposes; and
3. delegates authority to the Director of Legal & Governance in consultation with the Chief Property Officer to agree and complete all necessary documentation required to facilitate and formalise the appropriation of the land within the blue line on the attached plan.

**Background Papers:**

1. Executive Report seeking authority to disposal of land at Parkwood Springs to enable development as an outdoor leisure destination

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: <i>Paul Schofield</i>
	Legal: <i>David Sellars</i>
Equalities: <i>Annemarie Johnson</i>	
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	<b>EMT member who approved submission:</b> <i>Laraine Manley</i>
3	<b>Cabinet Member consulted:</b> <i>Cllr Terry Fox/Cllr Mazher Iqbal</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	<b>Lead Officer Name:</b> <i>Tammy Whitaker</i>
	<b>Job Title:</b> <i>Head of Regeneration and Property Services</i>
<b>Date:</b> <i>(Insert date)</i>	

## 1. PROPOSAL

- 1.1 This report seeks approval for the Council to appropriate, under Section 122 of The Local Government Act 1972 and Section 232 of The Town and Country Planning Act 1990, all land interests it currently owns within the blue line of the attached plan for planning purposes.
- 1.2 The extent of the land affected by this decision is shown edged blue on the plan attached to this report marked as Appendix A and throughout this report referred to as the land at and adjoining the former ski village Parkwood Springs.
- 1.3 The majority of the site was acquired under a Department for Health Compulsory Purchase Order and was appropriated to Parks from Housing on 1st April 1996. The remaining land is already held as Planning & Transport and General Estates land.
- 1.4 The land held by Parks has for some time had no operational use for that department nor does it feature in any future plans other than for the proposed leisure development as part of the wider masterplan and Urban park. As such it is surplus to its requirements. The land held in General Estate has no specific purposes going forward other than to form part of the proposed leisure development.
- 1.5 In July 2019 cabinet approved disposal of the land by way of a lease to enable redevelopment of the site for an international leisure facility. In order to ensure development of the site is not impeded, it is proposed to appropriate all of the land on the attached plan for planning purposes.

## 2. HOW DOES THIS DECISION CONTRIBUTE ?

- 2.1 Strong economy – By bringing brownfield land back into use for the development of a brand new leisure facility, attracting national and international brand partners and creating hundreds of new jobs, the project will support the policies to: attract investment across the city and support businesses to start and to grow; create jobs (with an emphasis on residents in nearby deprived communities); attract more visitors to Sheffield, by increasing the city's vibrancy and raising the city's profile; attract individuals and businesses to Sheffield as the UK's top Outdoor City.
- 2.2 Better health and wellbeing – By bringing a new and unique leisure attraction into the city, improved access to and participation in active sport will help the Council to deliver its policies to: promote good health and help people achieve a greater level of wellbeing including improving mental and emotional wellbeing and reducing loneliness and isolation.
- 2.3 Thriving neighbourhoods and communities – By converting derelict low quality land into a national standard sporting venue, the project will improve the image and perception of the city and more directly those adjoining neighbourhoods which suffer from the stigma of deprivation, offering members of the community new positive activities in line with Council policies to: encourage people to have a good quality of life and feel proud of where they live, with increased access to local amenities and facilities including high quality parks and green spaces.

- 2.4 Tackling inequalities – Located centrally between a wide diversity of national and cultural communities and neighbourhoods, many of which suffer from the effects of longstanding deprivation which impacts particularly on the life choices available to young people, this project provides new ways to bring people of different backgrounds together through new sport and employment opportunities, supporting Council policies to make it easier to overcome obstacles by investing in the most deprived communities and supporting individuals to help themselves and achieve their full potential.

### **3. HAS THERE BEEN ANY CONSULTATION?**

- 3.1 A Cabinet decision to dispose of the site by way of lease, including the areas of land shown edged blue on the plan in Appendix 1, was taken in July 2019.
- 3.2 No public consultation is required for the Council to appropriate land.

### **4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION**

#### **4.1 Equality of Opportunity Implications**

- 4.1.1 No implications have been identified.

#### **4.2 Financial and Commercial Implications**

- 4.2.1 There are no financial implications to the Council of appropriating land for planning purposes.

However if the Council makes the decision, should it prove necessary, to use its statutory powers under Section 203 of the Housing and Planning Act 2016 to override any rights of light, easements, restrictive covenants and other rights in relation to neighbouring land to allow the Parkwood Springs Leisure Development to take place, then the Council will be liable to pay financial compensation to the benefactor for the loss of their rights.

#### **4.3 Legal Implications**

- 4.3.1 Section 122 of the Local Government Act 1972 enables the Council to appropriate for any purpose land which is held by the Council but is no longer required for any other purpose. Section 232 of the town and Country Planning Act 1990 enables the council to appropriate land which is already held for planning purposes for any purpose. Section 203 of the Housing and Planning Act 2016 empowers the Council to override any rights of light, easements, restrictive covenants and other rights in relation to neighbouring land. The Council will be liable to pay financial compensation to any benefactor for the loss of those rights.

#### **4.4 Property Implications**

- 4.4.1 There are no property implications arising from appropriating land under Section 122 of the Local Government Act 1972 or Section 232 of the town and Country Planning Act 1990.

**5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 The Council have no alternative options for any future use and/or development of the lands shown in Appendix 1.

**6. REASONS FOR RECOMMENDATIONS**

- 6.1 Appropriating the Land at and adjoining the former ski village Parkwood Springs for planning purposes will allow the redevelopment of the wider Parkwood site as described above and in the approved Cabinet decision.

**RECOMMENDATIONS**

That the Executive Director of Place:

1. Is satisfied that such land within the blue line on the attached plan that is not held in general estate or is already held for planning purposes is surplus to requirements
2. approves the appropriation for planning purposes of all parts of the land within the blue line on the attached plan currently owned by the Council that are not currently held for such purposes; and
3. delegates authority to the Director of Legal & Governance in consultation with the Chief Property Officer to agree and complete all necessary documentation required to facilitate and formalise the appropriation of the land within the blue line on the attached plan.