

SHEFFIELD CITY COUNCIL

EXECUTIVE LEADER DECISION RECORD

The following decision was taken on 16 December 2016 by the Leader of the Council.

Date notified to all members: Friday 16 December 2016

The end of the call-in period is 4:00 pm on Thursday 22 December 2016

Unless called-in, the decision can be implemented from Friday 23 December 2016

1. **TITLE**

Sheffield Retail Quarter - Proposed Appropriation of Land For Planning Purposes

2. **DECISION TAKEN**

That The Leader approves

(i) The appropriation for planning purposes of all parts of the Sheffield Retail Quarter development site currently owned by the Council that are not currently held for such purposes;

(ii) that all future acquisitions by the Council of land required for the Sheffield Retail Quarter development be acquired for planning purposes and then held for planning purposes;

(iii) that any land currently held by the Council as highways land within the Sheffield Retail Quarter development site be appropriated for planning purposes at such time as the highways land is no longer required for its current purpose; and

(iv) delegates authority to the Chief Property Officer in consultation with Acting Executive Director of Resources and the Director of Legal & Governance to agree and then execute all necessary legal documentation required to facilitate and formalise the appropriation of land required for the Sheffield Retail Quarter development for planning purposes.

3. **Reasons For Decision**

As outlined in the Report land held by the Council for development/regeneration purposes should be appropriated by the Council for planning purposes.

By having appropriated for planning purposes all of the land within the Sheffield Retail Quarter development site the Council will have the ability should it be needed in the future to exercise its powers under Section 203 of the Housing and Planning Act 2016, and thus remove the risk of the Sheffield Retail Quarter development being prevented from taking place due to an adjacent land owner with a property

right obtaining an injunction to prevent the development taking place.

4. **Alternatives Considered And Rejected**

The Council could do nothing. However if it does nothing then as set out above in this report there is a risk that the lack of clarity and uncertainty that could ensue as to the status of the land would mean that Sheffield Retail Quarter development could be prevented from being developed.

5. **Any Interest Declared or Dispensation Granted**

None

6. **Respective Director Responsible for Implementation**

Executive Director, Place

7. **Relevant Scrutiny Committee If Decision Called In**

Economic and Environmental Wellbeing Scrutiny Committee