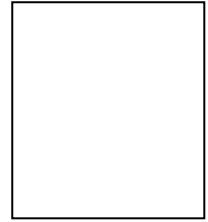




SHEFFIELD CITY COUNCIL

Cabinet Report



Report of: Executive Director, Place

Date: 26th September 2012

Subject: Proposed Sheffield City Council (Former Steelworks, Stocksbridge) - Compulsory Purchase Order

Author of Report: David Ambrose, City Regeneration Division

Summary:

This report is to seek authority to make a Compulsory Purchase Order (CPO) to acquire the interests and new rights in the former Steelworks land in Stocksbridge to enable the comprehensive regeneration of the site with a mixed use scheme for retail, office and leisure with associated infrastructure and car parking and land prepared for residential development (the Scheme).

Reasons for recommendations:

The use of a CPO to assemble the land required for the Scheme is possible under section 226 (1) (a) of the 1990 Town and Country Planning Act, and would be justified in light of the compelling case in the public interest for the implementation of the Scheme, as it will boost employment opportunities in the area, secures the improvement of, and future investment in, the Tata Stocksbridge Steelworks, and transforms the town's retail offer.

The proposed SRC Scheme provides a real opportunity to secure the regeneration of a large area of underutilised land alongside a key district centre and it is considered that there is little prospect, if a CPO is not used, of securing this regeneration

Where the Council propose to make a CPO under these statutory provisions, the Council must also be satisfied that the development is likely to contribute to the achievement of one or more of the following objects, namely the promotion or improvement of the economic, social or environmental well-being of their area.

For these reasons it is suggested that Cabinet adopt the recommendations described below.

Recommendations:

- That authority be given for the Council to make a Compulsory Purchase Order under the powers conferred by Section 226 (1) (a) of the Town and Country Planning Act 1990 Act, and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 Act, to acquire the land and rights over the land shown on the Order Map displayed at the meeting of Cabinet on 26th September 2012 and marked Map referred to in the Sheffield City Council (Former Steelworks, Stocksbridge) Compulsory Purchase Order 2012.
- That the Director of Legal Services be authorised to make the CPO, to take all necessary procedural steps prior to and after the making of the CPO, to enable the CPO to be submitted to the Secretary of State for confirmation including:
 - (a) finalising the attached draft Statement of Reasons;
 - (b) finalising the Schedule of Interests
 - (c) serving notices of the making of the CPO on all persons entitled to such notice and placing necessary press notices;and to submit the CPO to the Secretary of State for confirmation.
- That the Director of Legal Services be authorised to sign and serve any notices or documents necessary to give effect to these recommendations and to take all other actions necessary to give effect to these recommendations.
- As soon as the Order is confirmed by the Secretary of State to advertise the confirmation of the CPO and serve all necessary notices of confirmation and once the CPO becomes operative, the Director of Legal Services in consultation with the Director of Finance be authorised to execute General Vesting Declarations under the Compulsory Purchase (Vesting Declarations) Act 1981.
- That the Executive Director Place, in consultation with the Director of Legal Services be authorised to manage the compulsory purchase process in accordance with the terms of the CPO Indemnity Agreement.
- That Cabinet confirms that such parts of the land at the former Steelworks Stocksbridge as are already owned by the Council, but not currently held for planning purposes, are appropriated for planning purposes and as from today's date are held for planning purposes.
- That, if necessary, the Council will use its powers contained in section 237 of the Town and Country Planning Act 1990 in order to override any rights or covenants which would otherwise impede the delivery of the Scheme

- That Director of Legal Services, in consultation with the Executive Director Place be authorised to ensure that all private rights enjoyed and required by Tata over the land included in the Order are not extinguished by either :
 - (a) making a Direction under section 236 of the Town & Country Planning Act 1990, or
 - (b) entering into an Agreement with Tata.

- That the Executive Director Place, in consultation with the Director of Legal Services be authorised to support the application for a Stopping Up Order for various highways and footpaths that are necessary to enable the Scheme to be carried out and the creation of new highway, footpaths and bridleways , and to provide support for these proposals at any public inquiry.

Background Papers: Previous Cabinet Reports of the 23rd March 2011 and 29th February 2012.

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
YES Cleared by: Eugene Walker
Legal Implications
YES Cleared by: Gillian Duckworth
Equality of Opportunity Implications
YES Cleared by: Ian Oldershaw
Tackling Health Inequalities Implications
NO
Human rights Implications
YES
Environmental and Sustainability implications
YES
Economic impact
YES
Community safety implications
NO
Human resources implications
NO
Property implications
YES
Area(s) affected
North Sheffield
Relevant Cabinet Portfolio Leader
Leigh Bramall
Relevant Scrutiny Committee if decision called in
Economic and Environmental Wellbeing
Is the item a matter which is reserved for approval by the City Council?
NO
Press release
YES

PROPOSED SHEFFIELD CITY COUNCIL (FORMER STEELWORKS, STOCKSBRIDGE) – COMPULSORY PURCHASE ORDER.

1.0 SUMMARY, OUTCOMES AND SUSTAINABILITY

- 1.1 **Summary:** This report is to seek authority to make a Compulsory Purchase Order to acquire the interests and new rights in the land at the Former Steelworks in Stocksbridge to enable the comprehensive regeneration of the site with a mixed use scheme for retail, office and leisure with associated infrastructure and car parking and land prepared for residential development
- 1.2 **Outcomes:** By the Council using its Compulsory Purchase Order (CPO) powers this will help facilitate the development by Stocksbridge Regeneration Company (SRC) that will deliver the comprehensive regeneration of this currently under-used site at the bottom of the Stocksbridge valley and the resulting uses will be of substantial benefit to the area. It will also improve and trigger investment at the Tata Stocksbridge Steelworks.
- 1.3 **Sustainability:** The development proposed by SRC will be on Brownfield land. It comprises in the main the footprint of a former steelworks which has now been demolished down to ground slab level. The land is contaminated in parts and the development will look to minimise the need to send any contaminated soils or materials off site for treatment or disposal.
- 1.4 The proposed development will be served by existing public transport links and is accessible by foot and non car modes of transport for many people. Journeys to and from the new jobs created, retail units and homes which will be delivered as part of the redevelopment of the site will therefore result in lower carbon emissions as a significant proportion of these additional journeys are likely to be on foot or using public transport.

2.0 BACKGROUND

- 2.1 The Scheme proposed by SRC for the Former Steelworks site in Stocksbridge comprises of
- A retail and office led element, also including catering and leisure uses, incorporating a Tesco food superstore of approximately 5,820 sq m (GIA) within a total of 20,377 sq m (GIA) of commercial development, served by around 680 car parking spaces, with additional employee parking

- The provision of land for up to 140 residential units with a mixture of 2, 3 and 4 bedroom dwellings anticipated, which will also accommodate landscaping, the enhancement of the river corridor, and the provision of public open space including children's play space
- Junction and other improvements to enhance vehicular and pedestrian access from Manchester Road
- The improvement of the existing private link road from the steelworks to the bypass and its opening up as a public highway open to all traffic, with the provision of a new roundabout junction with the bypass
- The realignment and rationalisation of vehicular and non-vehicular routes across the site, including the closure of Ford Lane and the stopping up of public rights of way, and the provision of new rights of way to enhance wider accessibility.

2.2 Planning permissions have been granted for this mixed use scheme (the retail, office, leisure and associated infrastructure and car parking) and for the residential development.

2.3 The land for the residential development will be laid out and levels re-graded using material removed from the retail area. This will remove a significant abnormal cost in respect of this area of the Scheme and enable residential development to be carried out.

It is also deemed essential so as to secure a comprehensive redevelopment of the area and to avoid leaving a large part of the site without practical access and in a poor condition which would have a negative impact on the adjoining new development.

The timing of the residential development will depend on a number of factors and in particular the completion of the retail and office area, the establishment of the landscaping scheme and the strength of the local housing market.

2.4 The regeneration benefits from the Scheme are substantial. It will bring with it significant job creation. Based on average employment density figures it is estimated that the Scheme will provide at least 900 permanent jobs on site with additional jobs created through the construction and servicing of the Scheme

More sustainable and inclusive patterns of shopping and working will be established by enabling local people to meet a wider range of needs close to where they live rather than, as at present, travelling to locations outside Stocksbridge.

The vitality and viability of the existing centre will be enhanced through the increased retention of trade and expansion of local spending power as the residential and working populations grow.

2.5 The full opening up of the link road to the bypass will help alleviate traffic issues in Stocksbridge. The new roundabout junction to be created on the bypass represents a safety benefit, providing calming on a busy Trunk Road. It will introduce lighting to an unlit part of the bypass, reduce traffic speeds, and remove the hazardous existing junction arrangement where articulated vehicles need to cross a fast moving carriage way

2.6 A further benefit arising from the Scheme will be significant investment and improvements to the retained Tata steelmaking business.

In consideration for including its land within the proposed development SRC will provide Tata with a number of new facilities.

The existing outside storage and handling activities currently less efficiently located at the eastern end of the Tata works are to be moved to a new purpose built and enclosed facility at the western end of the works, in the right place to integrate well with the steelmaking process.

A new car park, weigh bridge, associated highway and infrastructure improvements and enhanced flood defences will also be provided within the existing steelworks.

2.7 The development will also result in the clearance and preparation of a site to accommodate a new high profile state of the art test centre for Tata, efficiently consolidating their existing testing operations and acting as a front of house and technical space in which they can showcase their products.

This investment will reinforce the specialist steel manufacturing activity at the Stocksbridge Steelworks

2.8 SRC has entered into a contract with Tata for the acquisition of part of Tata's land in order to implement the Scheme. In return SRC will provide Tata with the facilities outlined above in paragraphs 2.6 and 2.7.

The CPO will, in order to ensure that all interests are acquired, include the land currently owned by Tata, but not their actual interest in that land, as this to be acquired under the contract.

2.9 Some of the utility pipes and/or cables that supply the Tata Steelworks cross over/under land that is not within their ownership, but which the Council are seeking to acquire via the CPO.

Even though Tata enjoy private rights for these utility runs an acquisition of land via a CPO extinguishes these rights.

It is not the Council or SRC's intention to seek to extinguish these private rights, and SRC have designed, and will develop the Scheme so that there is no disruption of services to the Tata Steelworks.

The Council is currently in discussion with Tata on this issue and will either make a direction to retain the rights under section 236 of the Town & Country Planning Act 1990, or will enter into a legal agreement with them in order to preserve the rights.

- 2.10 SRC have secured a pre sale of the superstore element of the proposed Scheme to Tesco
- 2.11 Since the last report to Cabinet on the 29th February 2012 the Council has been in negotiation to acquire the land required to deliver the Scheme with the remaining known land owners

The owners do appear to be willing to sell in principle but unfortunately terms have to date not been agreed but negotiations are continuing.

Time is however running out to conclude these negotiations as the ERDF grant funding that SRC are seeking to secure and the pre sale of the superstore to Tesco they have already achieved, are time limited.

- 2.12 There are a number of plots within the development site where the ownership is unknown. These occupy a strategic location within the total site and thus inhibit the ability to develop the Scheme. The acquisition of these plots via the CPO will overcome this problem.
- 2.13 Extensive referencing work has been undertaken to ascertain ownership and interests of every parcel of land within the Scheme.

3.0 Proposed Compulsory Purchase Order

- 3.1 It is proposed to make a Compulsory Purchase Order (CPO) under section 226 (1) (a) of the 1990 Town and Country Planning Act and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (the "1976 Act").
- 3.2 The Council can make a CPO under section 226(1)(a) where it "thinks that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land", and it thinks (required by section 226(1A)) that, "the development will promote the improvement of the economic, social or environmental well-being of their area". Under Section 13 of the 1976 Act, a local authority may compulsorily acquire such new rights over land as are specified in the compulsory purchase order.
- 3.3 The Office of the Deputy Prime Minister ("ODPM") (now the Department for Communities and Local Government) Circular 06/04 states that, "a compulsory purchase order should only be made where there is a compelling case in the public interest". The Circular also

recommends that, “Before embarking on compulsory purchase and throughout the preparation and procedural stages, acquiring authorities should seek to acquire land by negotiations wherever practicable. The compulsory purchase of land is intended as a last resort in the event that attempts to acquire by agreement fail.

SRC has undertaken extensive negotiations with the landowners and more latterly these have been pursued by the Council.

Officers do not consider that agreement is going to be reached with these landowners within the ERDF funding and the terms of the Tesco pre sale, time limits, and so believe that there is no alternative but to proceed with a CPO.

- 3.4 The Council considers that there is a compelling case in the public interest to justify using its compulsory purchase powers because of the important regeneration benefits the redevelopment of the site will deliver to Stocksbridge and the surrounding area and will make a significant contribution to the promotion of the economic, social and environmental well being of the area.
- 3.5 The draft Statement of Reasons, included as an appendix to this report, sets out more fully the reasons why a CPO is considered necessary.
- 3.6 A financial advisory business will be displaced by the Scheme but there is office accommodation available either within the new development or elsewhere in the area for its relocation. Other relocations relate to Tata or buildings controlled by Tata; these are provided for in the contract between SRC and Tata.
- 3.7 There will be no job losses arising from the promotion of the CPO. There are no occupied dwellings on the Order Land. There is one vacant (and derelict) dwelling house which will be demolished.
- 3.8 The land and rights required for the Stocksbridge scheme are shown coloured pink and blue respectively in the attached reduced size draft Order Map, and are described in the draft Order Schedule, which is available in the Member’s Library.
- 3.9 As stated, the Statement of Reasons, Order Map and Order Schedule are currently in draft form. A final version of the Order Map and an updated version of the Statement of Reasons will be circulated at Cabinet, together with details of any changes. An updated version of the Order Schedule will be placed in the Member’s Library prior to the Cabinet meeting. All documents will be available for inspection by the public once the Order has been made.
- 3.10 The proposed CPO seeks to acquire all land and new rights needed to deliver the Stocksbridge Scheme. The specific rights sought are rights to make up the access road to adoptable standards and to move

cables and pipes, improve the junction of Hunshelf Road and Manchester Road, and carry out work to the bridge parapet.

A fuller description of the rights required is set out on the draft Statement of Reasons

- 3.11 It is proposed that such parts of the land at the former Steelworks Stocksbridge site that are already owned by the Council, but not currently held for planning purposes, are appropriated for planning purposes and as from the date of Cabinet are held for planning purposes

Also, that if necessary, the Council will use its powers contained in section 237 of the Town and Country Planning Act 1990 in order to override any rights or covenants which would otherwise impede the delivery of the Scheme.

- 3.12 Section 237 of the Town and Country Planning Act 1990 authorises the erection, construction or maintenance of any buildings or work on land which has been acquired or appropriated by a local authority for planning purposes, if it is done on accordance with planning permissions, even if it involves the interference with an interest or right to which the section applies.

- 3.13 The effect of section 237 is to ensure that where land is owned by a local authority and held for planning purposes then existing rights which could have prevented development of that land from proceeding can be overridden.

The rights are overridden whether the local authority or a person deriving title from them undertakes the development. Accordingly SRC will benefit from the operation of section 237 if the Council appropriates the land needed for the Scheme for planning purposes.

- 3.14 The powers contained in section 237 do not remove any legitimate rights of owners or occupiers to compensation which may arise from the loss of such rights, but does remove the potential for excessive claims

If agreement cannot be reached as to the amount of compensation then this issue can be referred to the Lands Tribunal for a decision in the same way as for compensation under a CPO

4.0 Proposed Highways Order

- 4.1 In tandem with the CPO, SRC have recently submitted an application to the Secretary of State pursuant to Section 247 of the Town and Country Planning Act 1990 for the stopping up and creation of new highways (the "Stopping Up Order") that are necessary to enable the Scheme to be carried out.

Full details are set out in set out on the draft Statement of Reasons

- 4.2 Officers believe that the application correctly identifies all of the highways and footpaths that will need to be stopped up and show the new highways, footpaths and bridleway to be created.
- 4.3 Authority is to be sought for the Council to formally support the application for the Stopping Up Order and to assist SRC to promote such Order at Public Inquiry, if necessary.
- 4.4 In addition, there will be a number of traffic regulation orders required in advance of the Stopping Up Order to provide for temporary access arrangements during the construction of the Scheme.
- 4.5 If required, evidence will be presented at Public Inquiry in support of the Stopping Up Order to demonstrate to the Secretary of State that full consideration has been given to the need to minimise disruption to occupiers and businesses within the site and the surrounding area during the construction, and once the scheme is completed, the permanent measures will ensure that pedestrian and vehicle movement within and around the scheme are acceptable.

5.0 FINANCIAL IMPLICATIONS

- 5.1 SRC has entered into the Indemnity Agreement with the Council whereby it will indemnify the Council in respect of all the costs and expenses incurred in preparing and making the CPO and in acquiring the interests required (including the payment of all proper CPO compensation) for the delivery of the Scheme.
- 5.2 The terms of the CPO Indemnity Agreement are underwritten/guaranteed jointly and severally by both Dransfield Properties Limited and JJ Gallagher Limited.
- 5.3 The Director of Finance has undertaken financial checks on both companies and is satisfied that between them they are of sufficient financial standing to underwrite SRC's obligations to the Council.
- 5.4 The cost of the development will be funded by SRC via a mixture of bank financing, grant funding from the European Regional Development Fund (ERDF) and from receipts generated by SRC from the disposal of the proposed superstore element of the Scheme to Tesco.
 - 5.4.1 As at the date of this report the Director of Finance is satisfied that based on the financial information provided, if the CPO is confirmed, bank funding should be available to SRC and/or its guarantors to fund the Scheme.
 - 5.4.2 SRC have an application submitted to ERDF for grant funding which they expect to succeed based on the acceptance of the outline business case and on the confirmation of the CPO.

Final approval of the ERDF funding will be dependant upon approval of the Full Application and confirmation of the CPO.

The ERDF funds are only available for draw down within a limited time window and will only be available to the SRC because of the nature of the ERDF process. It is therefore necessary for the Scheme to proceed in a timely manner so this funding is not lost

- 5.4.3 The Director of Finance is satisfied that under the terms of the SRC Agreement with Tesco the capital receipts should be deliverable.
- 5.5 Prior to the execution of the execution of the General Vesting Declaration (GVD) (the point at which the CPO becomes legally binding with the title of the land transferring and the Council becoming financially liable to pay compensation) the Director of Finance may acting reasonably, in order to ensure that there is still minimal financial risk to the Council in using its CPO powers, require from SRC and or its guarantors, such additional security as the Council should reasonably require for the payment of all the costs for the purchase of the land and rights required

6.0 LEGAL IMPLICATIONS.

- 6.1 It is the view of the Director of Legal Services that the proposed regeneration of the Former Steelworks area of Stocksbridge is likely to achieve the promotion or improvement of the economic and environmental well-being of the area and its inhabitants, and consequently their social well-being as well.
- 6.2 For reasons set out in paragraph 6.1 above the Director of Legal Services confirms that under section 226 of the Town and Country Planning Act 1990 the Council can make a CPO to acquire the land required for the Scheme, or under section 227 of the Town and Country Planning Act 1990 the Council may acquire the land by agreement
- 6.3 The CPO Indemnity Agreement, as mentioned in paragraph 5.1 above provides for SRC to indemnify the Council in respect of all of the costs and expenses incurred in acquiring interests required for the Scheme.
- 6.4 It is the view of the Director of Legal Services that the transfer of the land to SRC under the terms of the CPO Indemnity Agreement conforms with section 233 of the Town and Country Planning Act 1990
- 6.5 Circular 06/04 notes that, “compulsory purchase proposals will inevitably lead to a period of uncertainty and anxiety for the owners and occupiers of the affected land”, and states that, “it is essential that the acquiring authority keeps any delays to a minimum by completing the statutory process as quickly as possible”.

In recognition of this advice the CPO Indemnity Agreement provides for the making of the CPO within 2 months of seeking the Resolution, and to seek confirmation of the CPO from the Secretary of State as soon as possible.

7.0 EQUALITY OF OPPORTUNITY

- 7.1 The redevelopment of the site will be of universal positive benefit for all local people regardless of age, sex, race, faith, disability, sexuality, etc.

Local people will benefit from the creation of a significant number of new full and part time jobs. The socio economic and community cohesion impacts locally will be particularly positive.

- 7.2 No negative equality impacts have been identified, and it is not considered necessary that a full Equality Impact Assessment needs to be undertaken.

8.0 ENVIRONMENTAL SUSTAINABILITY

- 8.1 The redevelopment of the site will bring back into use brownfield land that in the main is currently unused. The majority of the site is a former steel works which was demolished a couple of years ago and all that remains is an unsightly area of hard standing, which is contaminated in parts.

- 8.2 The provision of the new facilities for Tata will be on existing brownfield land within its Steelworks.

- 8.3 The retail and office led development by SRC will be highly accessible to the people of Stocksbridge and will reduce the distance local residents to have to travel to and from work and to shop.

- 8.4 The residential element of the development will be highly sustainable because the new homes will be provided in close proximity to the existing centre and the new retail/office led development of the adjoining land.

- 8.5 As part of the overall development of the site the existing landscaped areas will be managed and improved. New open spaces will be introduced and new public walkways/routes will be created across the site by the developer.

9.0 HUMAN RIGHTS ISSUES

- 9.1 The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights (“the Convention”). The specific rights protected by the Convention include, amongst others:

- The right of everyone to the peaceful enjoyment of their possessions, which can only be impinged upon in the public interest and subject to relevant national and international laws;
- The right to a fair and public hearing for those affected by the Scheme; and
- The right to a private and family life, home and correspondence, which again can only be impinged upon in accordance with law and where such encroachment is necessary in the interest of national security, public safety or the economic well being of the country

9.2 The above rights would be engaged by the use of a CPO to acquire land for the Scheme. However, the European Court has recognised that “regard must be had to the fair balance that has to be struck between competing interests of the individual and the community as a whole”. Any interference with a convention right must be necessary and proportionate.

9.3 In the light of the significant public benefit which would arise from the implementation of the Scheme, and the fact that the known owners and occupiers of land within the site will be contacted regarding the Scheme and will, should their land be compulsorily acquired, qualify for compensation under the Compensation Code, the Council has concluded that it is appropriate to make the Order. It does not regard the proposed Order as constituting any unlawful interference with any individual’s rights under the Convention, including in particular any property rights.

10.0 CONSULTATION

10.1 As previously reported to Cabinet SRC has carried out extensive consultations with the Stocksbridge Town Council, local residents businesses and stakeholders, the land owners, and local groups, on their redevelopment proposals for the site,

10.2 Extensive consultation has also been undertaken as part of the planning process for the planning permissions that have been granted for the development.

10.3 SRC has met regularly with local Members and Officers.

11.0 REASONS FOR RECOMMENDATIONS

11.1 The use of a CPO to assemble the land required for the Scheme is possible under section 226 (1) (a) of the 1990 Town and Country Planning Act, and would be justified in light of the compelling case in the public interest for the implementation of the Scheme, as it will boost employment opportunities in the area, secures the improvement of and

future investment in the Tata Stocksbridge Steelworks, and transforms the town's retail offer.

- 11.2 The proposed SRC Scheme provides a real opportunity to secure the regeneration of a large area of underutilised land alongside a key district centre and it is considered that there is no effective prospect, if a CPO is not used, of securing this regeneration
- 11.3 Where the Council propose to make a CPO under these statutory provisions, the Council must also be satisfied that the development is likely to contribute to the achievement of one or more of the following objects, namely the promotion or improvement of the economic, social or environmental well-being of their area.
- 11.4 For these reasons it is suggested that Cabinet adopt the recommendations described below.

12.0 RECOMMENDATIONS

- 12.1 That authority be given for the Council to make a Compulsory Purchase Order under the powers conferred by Section 226 (1) (a) of the Town and Country Planning Act 1990 Act, and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 Act, to acquire the land and rights over the land shown on the Order Map displayed at the meeting of Cabinet on 26th September 2012 and marked Map referred to in the Sheffield City Council (Former Steelworks, Stocksbridge) Compulsory Purchase Order 2012.
- 12.2 That the Director of Legal Services be authorised to make the CPO, to take all necessary procedural steps prior to and after the making of the CPO, to enable the CPO to be submitted to the Secretary of State for confirmation including:
- (a) finalising the attached draft Statement of Reasons;
 - (b) finalising the Schedule of Interests
 - (c) serving notices of the making of the CPO on all persons entitled to such notice and placing necessary press notices;
- and to submit the CPO to the Secretary of State for confirmation.
- 12.3 That the Director of Legal Services be authorised to sign and serve any notices or documents necessary to give effect to these recommendations and to take all other actions necessary to give effect to these recommendations.
- 12.4 As soon as the Order is confirmed by the Secretary of State to advertise the confirmation of the CPO and serve all necessary notices of confirmation and once the CPO becomes operative, the Director of Legal Services in consultation with the Director of Finance be

authorised to execute General Vesting Declarations under the Compulsory Purchase (Vesting Declarations) Act 1981.

- 12.5 That the Executive Director Place, in consultation with the Director of Legal Services be authorised to manage the compulsory purchase process in accordance with the terms of the CPO Indemnity Agreement.
- 12.6 That Cabinet confirms that such parts of the land at the former Steelworks Stocksbridge as are already owned by the Council, but not currently held for planning purposes, are appropriated for planning purposes and as from today's date are held for planning purposes.
- 12.7 That, if necessary, the Council will use its powers contained in section 237 of the Town and Country Planning Act 1990 in order to override any rights or covenants which would otherwise impede the delivery of the Stocksbridge Scheme.
- 12.8 That the Director of Legal Services, in consultation with the Executive Director Place be authorised to ensure that all private rights enjoyed and required by Tata over the land included in the Order are not extinguished by either :
 - (a) making a Direction under section 236 of the Town & Country Planning Act 1990, or
 - (b) entering into an Agreement with Tata.
- 12.9 That the Executive Director Place, in consultation with the Director of Legal Services be authorised to support the application for a Stopping Up Order for various highways and footpaths that are necessary to enable the Scheme to be carried out and the creation of new highway, footpaths and bridleways, and to provide support for these proposals at any public inquiry.

Simon Green
Executive Director Place