

NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Use of Compulsory Purchase Powers at Lower Mill Street, Kidderminster	To rescind the decision taken in July 2015 to use CPO powers to assemble land for the redevelopment of the Western Gateway.	Private sector partner was unable to accelerate the development of the Western gateway in accordance with Council expectations.	17 th March 2016.

I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated: 17th March, 2016
Signed: 
Councillor: Marcus S. Hill
Leader

WYRE FOREST DISTRICT COUNCIL

Strong Leader Report

Rescinding Decision Regarding Use of Compulsory Purchase Order (CPO) at Lower Mill Street, Kidderminster

OPEN	
DIRECTOR:	Mike Parker
CONTACT OFFICER:	Mike Parker
APPENDICES:	None

1. PURPOSE OF REPORT

- 1.1 To agree to rescind a decision made by Cabinet on 14th July 2015 to use compulsory purchase (“CPO”) powers to assemble land at Lower Mill Street, Kidderminster to facilitate the redevelopment of the Western Gateway at Weavers Wharf, including the site of Crown House.

2. RECOMMENDATION

The Leader is asked to decide that:

- 2.1 The decision to use compulsory purchase powers to assemble land at Lower Mill Street Kidderminster for redevelopment as part of the Western Gateway at Weavers Wharf made on 14th July 2015 is rescinded.**

3. BACKGROUND

- 3.1 At the meeting of Cabinet on 14th July 2015 a report was received on progress being made with the redevelopment of an area of Kidderminster known as the Western Gateway in the Local Plan and comprising land at Lower Mill Street, Blackhorse Lane, the Bullring and Crown Lane including the site of Crown House.
- 3.2 The Council had been working in partnership with the owners of Weavers Wharf, Hendersons, to facilitate the comprehensive redevelopment of this whole area and Cabinet heard of the difficulties encountered by Hendersons in acquiring the freehold interests of properties by way of private treaty.
- 3.3 Cabinet agreed to use CPO powers to complete the assembly of the land if no agreement had been reached by private treaty by the end of September 2015.
- 3.4 Discussions continued with Hendersons after the July Cabinet meeting and the Director of EP&P and the Cabinet Member for Planning & Regeneration, having written directly to all owners and their agents of the LMS properties, met with one of the agents as well as the tenants of Crown House to further discussions. It became clear by the end of September that there was no prospect of negotiations concluding by way of private treaty and in subsequent meetings with Hendersons in October and November it also became clear that they were not able to advance the redevelopment proposals as quickly as the Council required. Being unwilling to work with an open ended timeframe in terms of the uncertainty it would cause to owners

and tenants of the LMS properties, the Council concluded in December 2015 that it would not be appropriate to continue to pursue CPO.

4. KEY ISSUES

- 4.1 On 22nd December 2015 the Council made a public statement confirming that it would not be pursuing CPO and the Director EP&P wrote to all owners, tenants and agents directly to confirm this position.
- 4.2 It is now appropriate to complete the process by rescinding the decision taken in July 2015 to make it absolutely clear that the Council has no intention of resurrecting the CPO process that was agreed at that meeting.

5. FINANCIAL IMPLICATIONS

- 5.1 There are none associated with this decision and the Council is pursuing costs that are underwritten by way of agreement with Hendersons for external work associated with work up to the December decision.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 None.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 Not applicable.

8. RISK MANAGEMENT

- 8.1 The risk associated with this decision is that the Western Gateway redevelopment will at best be delayed and at worst will never materialise.

9. CONCLUSION

- 9.1 In December 2015 the Council announced its intention not to pursue the decision made in July 2015 to use CPO powers to assemble land at Lower Mill Street. This decision to rescind that July decision completes the situation and leaves no doubt about the Council's position.

10. CONSULTEES

- 10.1 Corporate Leadership Team.

11. BACKGROUND PAPERS

- 11.1 Cabinet Report July 2015 – Western Gateway.