

# Taunton Deane Borough Council

**Executive - 13 January 2010**

## **Proposed Compulsory Purchase of Land at Victoria Gate, Taunton**

### **Report of the Legal Services Manager**

(This matter is the responsibility of Executive Councillor Hazel Prior-Sankey)

#### **Summary**

To seek formal approval to make a Compulsory Purchase Order (CPO) in respect of land at Victoria Gate, Taunton in order to facilitate redevelopment of the area and the provision of affordable housing.

#### **1. Purpose of the Report**

- 1.1 To seek a formal resolution of the Executive to satisfy the statutory requirements on making a CPO.

#### **2. Background**

- 2.1 At its meeting on 16 September 2009, the Executive considered the proposed redevelopment and regeneration of Victoria Gate, Taunton and associated area by way of a mix of housing development.
- 2.2 It was reported that there was an area of land at Victoria Gate to the rear of 56 to 59 East Reach which had lain unused and neglected for many years, although at one time it had been used as informal allotments. Attempts to establish the owner of the land had proved unsuccessful but the land was required to achieve the overall redevelopment of the area. Knightstone Housing had expressed an interest in acquiring the land for affordable housing and would fund the ultimate acquisition costs.
- 2.3 The Executive agreed to support the scheme and resolved that the CPO be progressed. However, a formal resolution is required to meet the statutory requirements.
- 2.4 Extensive inquiries have been made since 2003 both by officers of this Authority and by Knightstone, but it has not that been possible to establish ownership. There is provision for a CPO to be made in those circumstances subject to a valuation being carried out by the Lands Tribunal and the amount of the valuation being paid into Court, prior to the transfer of title. It had originally been envisaged that the compensation would be paid direct by Knightstone with a "back to

back” transfer of the land. However, since the monies need to be paid into Court before the title can be transferred it is likely that the Council would have to fund the compensation for the period between the paying of the monies into Court and the “back to back” transfer to the Knightstone.

- 2.4 A valuation carried out by Knightstone has put the value at £150,000 and the Housing Enabling Officer confirms that that amount could be made available from the Enabling Budget to cover that period of time.

### **3. Recommendation**

- 3.1 It is recommended that the Executive authorise the making of a Compulsory Purchase Order in respect of the area of land at Victoria Gate, Taunton shown hatched on the attached plan for the purpose of facilitating the development of the land for the provision affordable housing by Knightstone Housing or other appropriate body.

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