

Taunton Deane Borough Council

Executive – 12 November 2014

Firepool, Taunton – Acquisition of Remaining Third Party Interests

Report of the Assistant Director - Asset Development Projects

(This matter is the responsibility of Executive Councillor Norman Cavill)

1. Executive Summary

- 1.1 The purpose of this report is to seek authority to support a Compulsory Purchase Order (CPO) under section 226(1) (a) of the Town and Country Planning Act 1990, to facilitate the next phase of the development of Firepool, Taunton on the north side of the River Tone.
- 1.2 The Council has been working with its' appointed partner, St Modwen Developments Limited, to bring forward the planned development of the Firepool site. Master and phasing plans have been produced which allow for the development to be progressed in phases.
- 1.3 It is important for the Council to demonstrate its' commitment to a comprehensive Firepool Development, by approving a CPO in principle to enable delivery of new proposals that reflect the refreshed vision of the Taunton Rethink, as the old scheme is no longer viable.

A resolution

- 1.4 The Council previously made a general resolution, that 'in principle' a commitment be made to promoting Compulsory Purchase Orders as thought necessary in respect of the key development sites within the Vision for Taunton proposals, with reference to a future Firepool scheme (Executive 3 May 2006). Firepool plans for development of the next phase, north side of the River Tone, are at a crucial point and partners wish to be reassured that the Council remains committed in principal to using CPO. This report is an important milestone of our preparations for delivery, updating members and seeking support on the proposed use of a CPO process.
- 1.5 A previous CPO was made by the Council on 14 December 2010 which related to properties adjacent to Priory Bridge Road Car Park, being the initial phase of development on the south side of the River Tone. This enabled the delivery of the Viridor Building including associated public realm works and its related infrastructure. Planning consent has also been secured for a new residential development on the south side of the river, as part of the initial phase, which is scheduled to start later this year.
- 1.6 The Council are now seeking the making of a new CPO covering the area surrounding the Old Cattle Market on the north side of the River Tone to enable delivery of the next phases of the comprehensive Firepool Development. It comprises a mixed-use scheme which is considered to be in the public interest as the delivery of this scheme forms a key component of the regeneration of Taunton.

- 1.7 A planning application is proposed to be submitted early in 2015 in relation to this phase which will be in accordance with the broad aims of the adopted Taunton Town Centre Area Action Plan (TTCAAP) and Taunton Rethink, a refreshed vision for Taunton Town Centre, which was approved by the Council earlier this year. The details of this scheme are currently being finalised. Provided planning permission is granted and there are no other impediments to delivery identified, then we are able to progress with the next major phases of development. As St Modwen have reached an advanced stage of negotiations with prospective tenants it is felt appropriate to now seek a formal resolution in principle to proceed with the making of a CPO. Subject to conditions being met, including the approval of planning, it is envisaged that a more detailed CPO report will be presented later next year confirming progress made and requiring a final Council resolution.
- 1.8 Although the Council owns almost all of the site of the planned development on the north side, there remain various interests which require to be either acquired or over-ridden. Some good progress is being made with negotiation with third party landowners to seek to reach agreement on acquisition. However, it is considered that CPO powers should be utilised in the event that agreements cannot be concluded.
- 1.9 The Project Taunton Steering Group which met on 19 August 2014 were supportive in taking forward the proposals to the next stage. Following positive feedback from Corporate Scrutiny Committee this report is being presented to Executive at its meeting on 12 November 2014, before finally being considered by Full Council on 9 December 2014. It is **RECOMMENDED** that the Council agrees to proceed as set out in section 13 of this report.

N.B. Negotiations with the owners and/or any beneficiaries of the affected interests will continue in parallel with the order making process and every effort will be made to ensure that all matters are resolved by agreement.

2. Background

- 2.1 The land subject to the proposed CPO ("the Order Land") comprises of the area surrounding the old Cattle Market site, situated between Canal Road, the north side of Priory Bridge Road and the Northern Inner Distributor Road (currently under construction), which together with the south side, forms part of the larger Firepool site, Taunton. Firepool is identified for mixed use development within the Council's adopted Taunton Town Centre Area Action Plan dated October 2008 ("TTCAAP") and is an integral part of the overall regeneration of Taunton Town Centre.

The Taunton Town Centre Rethink document dated January 2014 ("Taunton Rethink") identifies the Firepool site as key to extending large-scale and mixed-use development as part of an extended town centre close to the mainline railway station. Following engagement of key partners and interest groups, the Project Taunton Steering Group and wider members, the Rethink was endorsed by Community Scrutiny on 7 January 2014. At a meeting of the Executive on 15 January 2014, it was resolved that this independent report (see web link <http://www1.tauntondeane.gov.uk/tdbcsites/tdbcagendas/RtnPDF.aspx?ImgName=Item+9.PDF&PMI=20141591>) be accepted and that a mandate for the

establishment of a programme and governance arrangements to further progress the proposals be provided.

- 2.2 Firepool is identified in the TTCAAP and Taunton Rethink as an integral part of the planned overall regeneration of central Taunton and whilst most of the site has been in the ownership of the Council for many years, some important properties remain in third party ownership and an element of land assembly has been required and remains to be concluded to deliver the regeneration aims for the site.
- 2.3 The Council has been working with its appointed partner, St Modwen Developments Ltd ("St Modwen"), to bring forward the development of the Firepool site. Master and phasing plans for the entire Firepool site have been produced and the area surrounding the old Cattle Market, on the north side, has been identified as the next key phases of development that started with the Priory Bridge Road car park. Planning permissions for the initial phase of development on the south side of Firepool provided for office, hotel and residential units together with associated car parking, landscaping, infrastructure works and vehicular access.
- 2.4 Taunton Rethink suggests that the specific proposals for Firepool, specifically the high rise offices on north side, as set out in the TTCAAP are no longer deliverable. An alternative proposal has therefore been drawn up by St Modwen for the remaining development north of the River Tone. This has been referred to the Devon and Somerset Design Review Panel and discussions are ongoing to agree a detailed form of development that can be supported by the Council as local planning authority. Early in 2015, a planning application is expected to be submitted to deliver the next phase, which will be included within the proposed comprehensive scheme. The proposed Order is therefore required in connection with the Firepool development, which has considerable benefits to local economy and support from key stakeholders.
- 2.5 St Modwen is in final negotiation and legal involvement is proceeding to secure a commitment from a new food store as part of the north side phase and subject to planning and securing Council approval for the use of compulsory purchase powers, together with any potential changes required to the Development Agreement, it is expected that work will start to deliver the comprehensive scheme north of the river in mid-2016.
- 2.6 Negotiations are also ongoing with holders of third party rights and it is hoped that agreement can be reached with these parties soon. However, to ensure delivery of the Firepool development it is considered necessary to initiate work so that compulsory purchase process is well prepared and progressed as soon planning has been approved. In the absence of the approved use of compulsory purchase powers, there is a risk that the land will not be secured to enable the comprehensive development to be delivered in the timescales required. The proposed timescale for securing the CPO is attached at Appendix 2 and St Modwen proposes to align this with the planning process and food store commitment.
- 2.7 In the circumstances it is felt appropriate to seek a formal resolution to proceed with the making of a CPO in principle, in respect of the land edged red, around at the Old Cattle Market Site, Taunton indicated on the plan attached to this report

as Appendix 1 (the Red Line Plan). The justification is set out in detail in section 4 below.

- 2.8 Confirmation is required at this point in time, to know that the in-principle use of CPO powers is acceptable to the Council, so that meaningful negotiations can be conducted with landowners. Without this specific in-principle decision, land owners may be unwilling to enter discussions (in some cases for a second time), nor would TDBC be able to issue statutory documents which require landowners to disclose the nature and volume of interests in the affected land. Continuing the in-principle negotiations does incur a minor cost of third party surveyors' fees, as per the Compensation Code.

3. Further Information

- 3.1 A table of the freehold and leasehold interests it is currently envisaged will be subject to the CPO is set out in the report attached as confidential Appendix 3.
- 3.2 Negotiations have been commenced with the owners and it is still hoped that acquisition will be concluded by agreement.

4. Justification for the Use of Compulsory Purchase Powers Town and Country Planning Act 1990

- 4.1 It is proposed that the Council use the powers available to it as planning authority under section 226(1) (a) of the Town and Country Planning Act 1990. Section 226(1) (a) enables compulsory acquisition following confirmation where the Council consider the acquisition will facilitate the carrying out of development, redevelopment or improvements on or in relation to land being acquired and it is not certain that it can be acquired by agreement.
- 4.2 The power in section 226(1) (a) is subject to section 226(1A). This provides that the acquiring authority must not exercise the powers unless they consider that the development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the Council's area.
- 4.3 Appendix A of Circular 06/2004 relates to Orders made under this section and advises that acquiring authorities may have regard to the statutory guidance issued by ODPM in 2001 concerning the interpretation of the wellbeing power in the Local Government Act 2000. It sets out that the purpose of the power is to encourage innovation and closer joint working between the local authorities and their partners to improve the quality of life of those living, working or otherwise involved in the community life of their area.
- 4.4 The redevelopment of the Firepool site, including the Order Land, is identified in the TTCAAP and the more recent Taunton Rethink as a key element of the Council's Project Taunton regeneration initiative. Firepool will act as a strategic mixed use site, providing a focus for future retail, office, residential and leisure development in Taunton and will be the key factor in changing market perceptions of Taunton as a place to live and work. It is considered that the regeneration

scheme will contribute to promoting the economic, social and environmental wellbeing of the area.

- 4.5 The previous TDBC compulsory purchase resolution of December 2010 was made following the issue of planning permission 38/10/0400 on 30 November 2010 for up to 11,200 sqm of office (B1) floor space, up to 4,475 sqm of hotel (C1) floor space, up to 49 residential units together with associated car parking, landscaping, infrastructure works and new vehicular access on to Priory Bridge Road at Priory Bridge Road car park and 89-94 Priory Bridge Road, Taunton. Since then additional detailed consents have been granted including 38/09/0400 dated 21 January 2011 for public realm works to the River Tone corridor and 38/13/0448 dated 28 March 2014 for 49 dwellings on Priory Bridge Car Park, as part of the south side phases. The CPO therefore helped to deliver the new Viridor HQ offices and public realm improvements to date and the delivery of the dwellings on the south side is planned to commence, before the end of this year. As such, the previous CPO facilitated the carrying out of development that contributed to the economic, social and environmental wellbeing of the Council's area in accordance with section 226(1)(a) of the Town and Country Planning Act 1990 and was considered to accord with the aims of the TTCAAP.
- 4.6 The north side development proposes a mixed use scheme incorporating retail, offices, leisure, residential, restaurants, a hotel, and car parking.
- 4.7 The TTCAAP states that the primary role of the allocation is a strategic office site, providing the main focus for further office development in Taunton. The more recent Taunton Rethink identifies Firepool as the primary development opportunity in the town centre and notes that the majority of the site is vacant within Council control and could be delivered in 3-5 years subject to planning and other issues. It notes that an employment led master plan (supported by the TTCAAP) may not be achievable due to viability issues with the only option likely to come forward being a mixed use master plan with a significant proportion of retail or residential development. It acknowledges that employment uses can still be provided on site.
- 4.8 Taunton Rethink describes a new vision for the town centre area, an approved document which should be given some weight. The redevelopment scheme reflects the proposals promoted in the Rethink, as it comprises a high quality mixed use scheme delivering key aspirations with associated wider benefits to Taunton town centre. The latest version of the master plan delivers offices as one of the major uses of floor space within the comprehensive scheme, if not the largest, and is therefore considered to accord with the broad aims of the TTCAAP.
- 4.9 St Modwen is in final negotiations to reach agreement for a 35,000 sq. ft. food store as a key part of the north side phases. That agreement requires that St Modwen is able to secure and deliver development on the Order Land within certain timescales. Failure to do so within the required timescales would be a breach of the agreement and would jeopardise delivery of both the food store and the wider development at Firepool.
- 4.10 The Circular (06/2004) advises that there should be no planning or other impediments to the implementation of the scheme but recognises that it may not always be feasible to wait until the full details of the scheme have been worked up and planning permission obtained before proceeding with the CPO. In cases where the proposed acquisition forms part of a longer-term strategy which needs

to be able to cope with changing circumstances, it is acknowledged that it may not always be possible to demonstrate with absolute clarity or certainty the precise nature of the end-use proposed for the particular areas of land included in a CPO.

- 4.11 In this case, the CPO process is being progressed in advance of the grant of planning permission. As set out in section 2, a planning application is proposed to be submitted in early 2015 once the details of phase two have been finalised and are supported by the Council as local planning authority. There is considerable policy support for the regeneration scheme and subject to the successful grant of planning permission and the making of the CPO, no planning or other impediments to the implementation of the scheme have been identified.
- 4.12 As such, it is considered that the proposed CPO facilitates the carrying out of development that contributes to the economic, social and environmental wellbeing of the Council's area in accordance with section 226(1)(a) of the Town and Country Planning Act 1990.

Circular 06/2004

- 4.13 Paragraph 17 of the Circular advises that a CPO should only be made where there is a compelling case in the public interest. As set out in section 2 and paragraphs 4.4 and 4.7-4.8 above, Firepool is an integral part of the overall regeneration of Taunton Town Centre and has been identified as a key strategic site to change market perceptions of Taunton as a place to live and work.
- 4.14 Paragraph 22 of the Circular also advises an acquiring authority to show that the development is unlikely to be blocked by any impediments to implementation which include financial, physical and legal factors. Financial matters are dealt with in section 5 below where it is confirmed that the necessary funding is available to acquire the land and construct the development. In terms of physical or legal impediments, none are identified which are likely to prevent the scheme from proceeding. However, as noted in paragraphs 2.5, 4.10 and 4.11, planning permission is needed for the scheme. In this regard, it is intended that a planning application will be made in 2015. The Circular at paragraph 23 states that where planning permission will be required for the scheme and has not been granted, there should be no obvious reason why it might be withheld and that the scheme should be in accordance with the development plan unless material considerations indicate otherwise.
- 4.15 The Council's Core Strategy adopted in September 2012 notes at Appendix 1 that Policy T3 of the Council's Local Plan adopted in 2004 relating to Firepool is replaced by Policies FP1 - FP9 of the TTCAAP dated October 2008. As identified in paragraphs 4.7 and 4.8 above, the scheme is in accordance with the development plan as it is broadly supported by the TTCAAP and is actively promoted in the approved Taunton Rethink which sets out a refreshed set of ambitions and plans for the future of Taunton Town Centre.
- 4.16 Circular 06/2004 also advises acquiring authorities that they should seek to acquire land by negotiation where practicable. Negotiations have been commenced with landowners and are ongoing. However, it is considered that unless the Council initiates the compulsory purchase process there is a risk that the Firepool scheme will either be significantly delayed or will not occur at all. In the absence of compulsory purchase powers it may not be possible to reach legal

completion on the transfers of the necessary rights in land in the timescales required to tie in with the planning process and the food store agreement

- 4.17 Circular 06/2004 advises acquiring authorities that given the length of time it can take to complete the compulsory purchase procedure it is advisable to commence the process in parallel with undertaking negotiations with landowners. The approach proposed accords with that guidance.
- 4.18 Taking account all of the above, it is considered that a compelling case exists in the public interest for utilising CPO powers in relation to the Firepool site.

Land to be acquired

- 4.19 A confidential table of the freehold and leasehold interests it is currently envisaged will be subject to the CPO is set out in the report attached as confidential Appendix 3. The remaining land is within the Council's freehold ownership and is subject to any existing third party rights. There are powers contained in Section 237 of the Town and Country Planning Act 1990 (as amended by the Planning Act 2008) to prevent such rights being a bar to development where land has been appropriated for planning purposes. The Project Steering Group support the principle proposed to utilise CPO powers on Firepool north side, subject to the grant of planning permission and approval of the CPO.

Viability

- 4.20 The Secretary of State needs to be satisfied that the scheme for which the compulsory purchase order is sought is viable and likely to proceed. It is considered that the scheme is financially viable and likely to proceed. There is a development agreement in relation to delivery and the imminent pre-letting of the new food store and the development already delivered as part of the initial phase are considered to be clear evidence of viability.

5. Finance Comments

- 5.1 The necessary funding to acquire/override the relevant properties/interests has been allocated within a specific TDBC Acquisition Budget for forward purchases and covered within the Partnership Project Account associated with the Development Agreement with St Modwen.
- 5.2 The proposed Development phase is subject to an independent viability appraisal which is in the process of being approved, as it is considered to be deliverable.
- 5.3 Compensation will be payable to those whose rights are compulsorily acquired. Compensation is assessed at open market value and broadly speaking any increase in value attributable solely to the Firepool redevelopment scheme must be discounted. The level of compensation payable should therefore be commensurate with what would be required to be paid for the acquisition of interests through negotiation.
- 5.4 Under the compulsory purchase procedure the Council may be required to make an advance payment of up to 90% of its assessment of compensation to an affected party upon taking possession of the interest in land. This has been factored into the funding arrangements.

6. Legal Comments

- 6.1 The Council considered confidential internal and external legal advice on the options available for acquisition of outstanding interests. The main body of the report considers legal matters and that advice confirmed that it would be within the Council's powers to utilise its compulsory purchase powers under section 226(1) (a) and that this was the most appropriate way in which to proceed.

7. Human Rights Impacts

- 7.1 The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights ("the Convention"). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual. Circular 06/2004 advises that in resolving to make a CPO, an acquiring authority should be sure that the purposes for which it is making a CPO sufficiently justify interfering with the human rights of those with an interest in the land affected and particular regard should be given to Article 1 of which the first protocol (which protects the right of everyone to the peaceful enjoyment of possessions) and Article 8 (in respect of dwellings).
- 7.2 In the case of each of these Articles (and indeed other provisions in the Convention) the Council has to be conscious of the need to strike a balance between the rights of the individual and the interests of the public and specifically to ensure that any interference with such rights reflects the terms of the European Convention on Human Rights. In the light of the significant public benefit which would arise from the implementation of the scheme as set out in sections 2 and 4 above, it is considered that it would be appropriate to make the proposed CPO as it will demonstrably reflect the public interest, and will be subject to the procedural requirements of relevant compulsory purchase legislation which will ensure compliance with the conditions provided for by the law.
- 7.3 The Council has undertaken extensive consultation on the TTCAAP and commissioned and approved the independent Taunton Rethink study which underpin the Firepool redevelopment scheme for which the Council is considering use of its Compulsory Purchase powers. Further representations can be made in the context of the compulsory purchase process which allows objections to be made which may be considered by the Secretary of State if not resolved. Further, those parties who will have interests acquired will be entitled to compensation proportionate to the value of their land or interest which is acquired from them.
- 7.4 A future report to decide on the making of the CPO will address the particular issues in relation to the owners and occupiers of the land

8. Links to Corporate Aims

- 8.1 The acquisition of remaining interests is important to the delivery of the agreed proposals for Firepool.
- 8.2 Firepool is the single largest regeneration site within the town centre and should provide a significant number of new jobs for the town in the period up to 2026. Redevelopment of this brownfield site will provide new housing including

affordable homes and target deliverable economic, social and environmental sustainability.

8.3 The proposals are, therefore, helping to achieve all four of the Council's corporate aims:

- Quality sustainable growth and development
- A vibrant economic development
- A vibrant social, cultural and leisure environment

9. Environmental and Community Safety Implications

The new scheme will improve the current physical environment, with buildings and public realm constructed to relevant standards. Planned infrastructure work will mitigate the risk of flooding as part of a wider flood prevention strategy.

10. Equalities Impact

Human rights impacts have been addressed above. A detailed Equalities Impact Assessment is being prepared as part of a detailed report to decide on the making of the CPO and relevant issues will be addressed in full.

11. Risk Management

11.1 The Council and its development partner has taken expert independent advice in deciding the best way to proceed.

11.2 The principle risks have been identified as:-

- (a) **Risk-** that access to the land cannot be achieved and the proposed development is unable to proceed. **Remedy-** the proposed CPO will address that risk.
- (b) **Risk-** objections lead to a CPO public inquiry. **Remedy-** the development programme allows for an inquiry, if required. The Council will continue to either purchase strategic land or agree terms subject to a successful CPO being confirmed where the latter is more cost effective. In the latter case, compensation would not become payable until such time as CPO Notices were served on the third party interest (which can only be done after confirmation of a CPO) and actual entry is taken upon that land. Additionally, in the event that the St Modwen development were to change or not proceed at all, the Council would seek another development partner to progress the Firepool scheme or alternatives options. Because this is only an in principle request, there is no detailed risk at the immediate time in respect of Statutory Blight compensation.
- (c) **Risk-** the CPO is not confirmed by the Secretary of State. **Remedy-** the proposed CPO is in accordance with both the Town and Country Planning Act 1990 and Government Circular 06/2004. It is also being promoted to assist in the delivery of development proposals which will be consistent with Development Policy, the Council's refreshed vision as outlined in the Taunton Rethink and Government policy (e.g. the National Planning Policy Framework).

- 11.3 Whilst the use of compulsory purchase powers are often emotive and can be controversial, the proposals for Firepool are so well established and have been the subject of such extensive consultation that they are now widely accepted and supported as being important to the future economic development and growth of Taunton. In addition, it should be noted that CPO powers have already been used appropriately south of the river and the proposed CPO relates to the next phase on the north side, to enable delivery of a comprehensive Firepool scheme.
- 11.4 Every effort will be made to conclude the acquisition of all remaining interests by negotiation and very positive discussions are ongoing in this respect.
- 11.5 Independent expert advice will continue to be sought throughout the process.

12. Partnership Implications

- 12.1 The Council is working in close partnership with the Homes and Communities Agency (HCA), who have replaced the SW Regional Development Agency, and with St Modwen, its chosen private sector development partner, in order to bring forward the regeneration of the Firepool site.
- 12.2 Partners have been consulted and fully involved in all relevant discussions to date about the acquisition of necessary third party ownerships and the planned development of the site and are entirely supportive of the process in this regard.

13. Recommendations

- 13.1 It is **RECOMMENDED** that the Executive comments on the report for Council to agree:-
1. To the principle of making of a Compulsory Purchase Order or Orders under Section 226(1) (a) of the Town and Country Planning Act 1990 (as amended) in respect of the land edged red (for identification only) at Firepool Old Cattle Market site, Taunton indicated on the plan attached to this report as Appendix 1.
 2. To authorise the Chief Executive and Solicitor to the Council to:-
 - (a) carry out all necessary steps to reference the areas of land to be considered for compulsory purchase and to consult with the owners and occupiers of that land;
 - (b) report back to the future meeting on the effects that the potential CPO will have on all owners and occupiers and the steps that should be taken to mitigate those effects;
 - (c) negotiate and agree terms for the acquisition by agreement of any of the outstanding land interests detailed in the confidential report attached as confidential Appendix 3 or those which are otherwise subsequently identified as affecting the land and interests to be acquired;
 - (d) make any necessary preparations to consider potential future payments of compensation (including any interim payments) after future CPO notice, either as agreed with landowners or as determined by the Lands

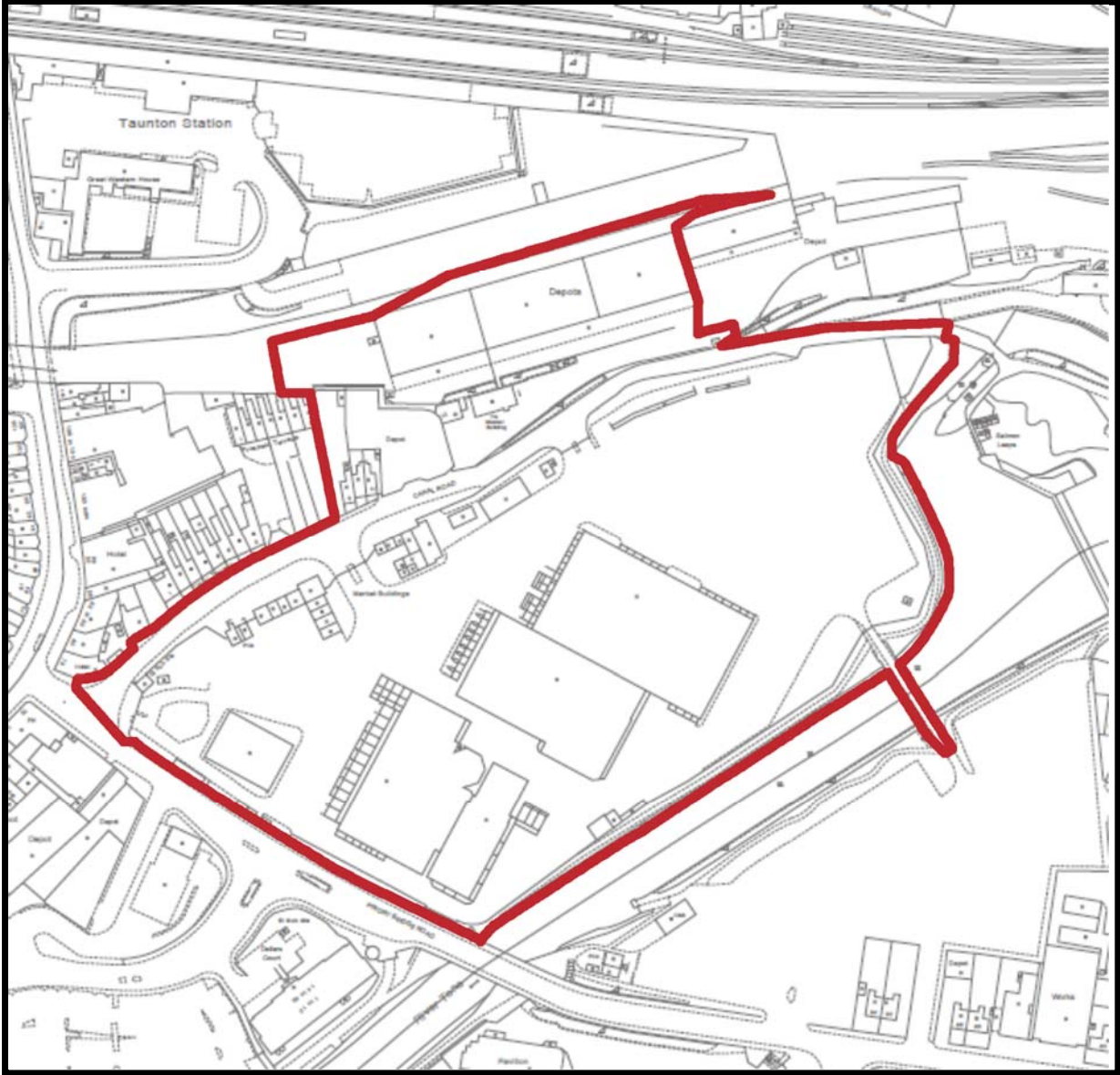
Chamber of the Upper Tribunal in relation to acquisition/overriding of properties/interests;

- (e) dispose of the land interests acquired either voluntarily (or by way of a future Compulsory Purchase Order or Orders when confirmed in future), to St Modwen Developments Limited in accordance with the Development Agreement dated 15 April 2009 and made between the Council, St Modwen Properties plc and St Modwen Developments Limited.

N.B. Negotiations with the owners and/or any beneficiaries of the affected interests will continue in parallel with the order making process and every effort will be made to ensure that all matters are resolved by agreement.

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Appendix 1 – Indicative Map with red-line outline showing the area of the proposed CPO Firepool north side



Appendix 2 - Indicative CPO timescales - subject to conditions being met
 (Time periods are approximate and those in **red** are statutory minimum)

This report seeks Council Approval in Principle CPO Action Dec 2014	Prepare Report to Committee, draft CPO, plan, and schedule of interests, Statement of Reasons.	Council consider approval of use of CPO powers.	Serve requisitions	Serve draft CPO Order, Plan and Statement of Reasons on parties with qualifying interest.	Site notice and newspaper notification - 14 days statutory period for objections-	Objections received – Secretary of State will order a PLI If no Objections Secretary of State will issue decision.	If inquiry required – Secretary of State issues Relevant Date letter.
	Obtain valuation of interests to be acquired Planning Application scheduled for Spring 2015	Following Planning and Council approval of CPO Expected Autumn 2015	4 weeks	2 weeks	21 days		
Other Actions		Negotiations with Interested Parties					
Deadline for lodging Statement of Case for public local inquiry. 6 weeks	Fixing date for Inquiry and inquiry preparation, including lodging of documents and proofs of evidence. 10 weeks	Inquiry 4 days (subject to objectors)	Inspector to inquiry issues Report for consideration by Secretary of State. Allow 8 weeks for Inspector to prepare report	Secretary of State issues decision. Allow 4 weeks for Secretary of State to consider Inspector's report	6 Weeks for Judicial Challenge. Runs from date of Secretary of State's decision.	Confirm Order	

ACQUISITION OF LAND

Notice to Treat Procedure	Confirm Order	Serve Notice to Treat	Allow 21 Days for Claim Form.	Serve Notice of Entry confirming date take possession	Take Possession	Take possession
General Vesting Declaration Procedure		Serve pre-GVD Notice	2 Month notice period	Minimum 14 days	Compensation becomes payable Serve GVD specifying date take possession (minimum 28 days)	Compensation becomes payable Development on north side start on site – estimated late summer 2016

Appendix 3 – Confidential List of 3rd Party Interests associated with CPO for Firepool north side - subject to change

Updated list to follow.

Please note - confidential list of names and addresses only reflects some of the main land owners and leaseholders and contacts to date to progress informal discussions around the potential acquisition of their interests.

The list is not inclusive of all owners, occupiers and interested parties – as this detail will be reported back to a future Council meeting with a formal request to the making of a CPO, confirming contact made with all owners and occupiers and the steps that should be taken mitigate potential effects of a CPO process.