

**Name of meeting:** Cabinet  
**Date:** 29<sup>th</sup> August 2018  
**Title of report:** Housing Delivery Plan

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes/ no or “ not applicable” If yes give the reason why
Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a>	Yes/ no or “not applicable” If yes also give date it was registered
The Decision - Is it eligible for call in by Scrutiny?	Yes/ no or “ not applicable” If no give the reason why not
Date signed off by Strategic Director and name	YES 20 August 2018
Is it also signed off by the Acting Service Director - Finance, IT and Transactional Services?	YES 20 August 2018
Is it also signed off by the Service Director - Legal Governance and Commissioning?	YES 20 August 2018
Cabinet member <a href="#">portfolio</a>	Cllr Cathy Scott - Adults and Independence

**Electoral wards affected: All**

**Ward councillors consulted: See appendix 3**

**Public or private: Public**

## 1.0 Purpose of report

1.1 In March 2018, the Deputy Leader (now the Leader) made the Big Build announcement at the MIPIM conference. The ambition is for 10,000 new homes in Kirklees by 2023 of which 1,000 will be on land currently owned by the council. This report sets out the approach for delivering the growth element of the housing strategy and delivering 1,000 homes on land currently owned by the council.

## 2. Summary

2.1 Housing and regeneration have an important role to play in allowing Kirklees to build on its strengths and achieve its growth potential. There is a need to provide high quality housing on a scale and of a type that responds to the needs of a growing population and economy.

2.2 This Housing Delivery Plan has been prepared as part of the evidence base for Kirklees Housing Strategy due to be heard by Full Council in September

2018. It also provides the structure to guide interventions in Kirklees over the coming years. It provides the context within which a range of interventions will be brought forward by both the public and private sectors over time to support housing and associated regeneration schemes that will individually and collectively contribute to the sustainable growth of Kirklees.

- 2.3 The purpose of this Housing Delivery Plan is to guide future investment decisions by recognising market conditions (where they relate to both challenges and opportunities) and strategy drivers and providing the mechanisms to prioritise activities in support of identified intervention themes. In a changing delivery context, it is not possible or desirable to identify a fixed programme of activities that will deliver local ambitions. It is however important to have a clear framework that will guide activities over time, helping partners to identify those schemes that can make the greatest contribution to achieving Kirklees's ambitions.
- 2.4 At a time of continued challenging economic conditions, this plan provides an opportunity to focus interventions and catalyse development, as well as ensuring that existing stock is of a high quality and continues to satisfy housing needs. Over the longer term, it will continue to provide the framework to guide intervention and investment decisions that contribute to the area's overall housing, regeneration and wider growth ambitions.
- 2.5 The plan covers all the towns and villages that comprise Kirklees district. It has been designed to focus on those housing and regeneration issues that can be addressed most effectively at pace on land in the control of the council.
- 2.6 The strategic approach to housing growth needs to relate strongly to national planning policy guidance in relation to Kirklees development planning. Its purpose is not to replicate or detract from planning policy but to offer further guidance under the housing and regeneration agenda. In particular from a Kirklees perspective, it is important to note that work has been completed, is ongoing or will need to be done to underpin this plan, notably:
  - 2.6.1 Taking into account housing market geography in the development of policy to ensure that assessment of housing need is carried out at this level.
  - 2.6.2 The Council has commissioned or participated in specific research into a number of areas including understanding the geography of market housing areas, overall viability and local needs. This work helps to provide the planning policy framework support for this plan and has been drawn upon where appropriate in the development of this document.
  - 2.6.3 As the demand for new homes grows and the Local Plan sites are released then the council recognises there will need to be a stronger requirement for ensuring place making and good quality design are at the heart of our decision making. With that in mind Local Plan policies

linked to master planning and quality of place will become prevalent and it is intended that the council will embed these aspects into a 'Quality Places' Supplementary Planning Document to drive up standards of design, space, energy efficiency and public realm.

- 2.6.4 The quantum of new homes being required means that the Council will need to be flexible and adopt new ways of thinking and delivery and the council has been exploring different partner off site manufacturing systems and is preparing plans for a design competition to test how the construction industry responds to the use of new technologies. Therefore the council has been exploring different build systems and intends to hold a design competition for modular housing.
  - 2.6.5 Securing the policy position on affordable housing through planning obligations on all sites subject to viability.
  - 2.6.6 To ensure the council's regeneration ambitions are realised, the council may need to use its Compulsory Purchase Order (CPO) and positive planning powers (see Appendix 1 for more detail on the CPO process).
  - 2.6.7 Moving forwards, however, further steps will be taken to ensure 10,000 homes are built by 2023 by making the best use of our assets and resources in conjunction with those of our partners.
- 2.7 The rest of this report sets out the proposal for how it is proposed the council does this, how it will monitor progress towards the council's ambition and the rest of the information members will need to make a decision.

### **3.0 Information required to take a decision**

It is important to recognise that Kirklees' Housing Market is diverse and each town and village is distinct in its own right and therefore the needs and demand are considered with this local character in mind.

- 3.1 Kirklees has a strong economy and acts as a draw for both businesses and households, driving demand for a wide range of housing and neighbourhoods, employment sites and premises which support Kirklees's economic success.
- 3.2 Kirklees also has ambitious economic growth plans. Census forecasts produced in 2011 suggest that Kirklees's economy will grow. Partner ambitions are to raise growth rates further through a series of initiatives. Higher levels of growth will require an appropriate supply of sites and premises that can accommodate the needs of a diverse range of sectors and business types across Kirklees. It is also likely to increase the size of the workforce and in-migration, and indirectly increase demand for housing.
- 3.3 The forecast population growth builds on population growth of 8.7% between 2001 and 2011, adding over 33,000 to Kirklees population which is the third highest increase in the Leeds City Region.

3.4 Population growth, along with changes in housing demand are forecast to drive demand for housing. It is estimated that there will be 186,000 households in Kirklees by 2019, increasing to 193,000 by 2024; an increase of 19,475 since 2011. The Local Plan has set a requirement of 31,340 homes between 2013 – 2031, which, equates to an average of 1730 additional homes per year.

3.5 The Local Plan has reached a point where the Inspector has completed her Examination in Public and has written to the council to indicate the modifications that would be required for her to consider the plan to be sound. Officers are currently working up those modifications for consultation.

### 3.6 **Changing Patterns of Housing Demand**

The Strategic Housing Market Assessment identifies four common themes in demand for housing:

- 3.6.1 Increased demand arising from single person households and couples with no children, with more modest growth in households with children;
- 3.6.2 A need for more one and two bedroom homes to account for a growing housing need;
- 3.6.3 The need to accommodate a growing ageing population, including adjustments to current homes and the provision of extra care/supported housing, as well as recognising the needs of active older residents; and
- 3.6.4 A need for affordable housing including intermediate tenures and market rented accommodation due to an inability for some households to access market housing

These reflect both market conditions and changing household formations.

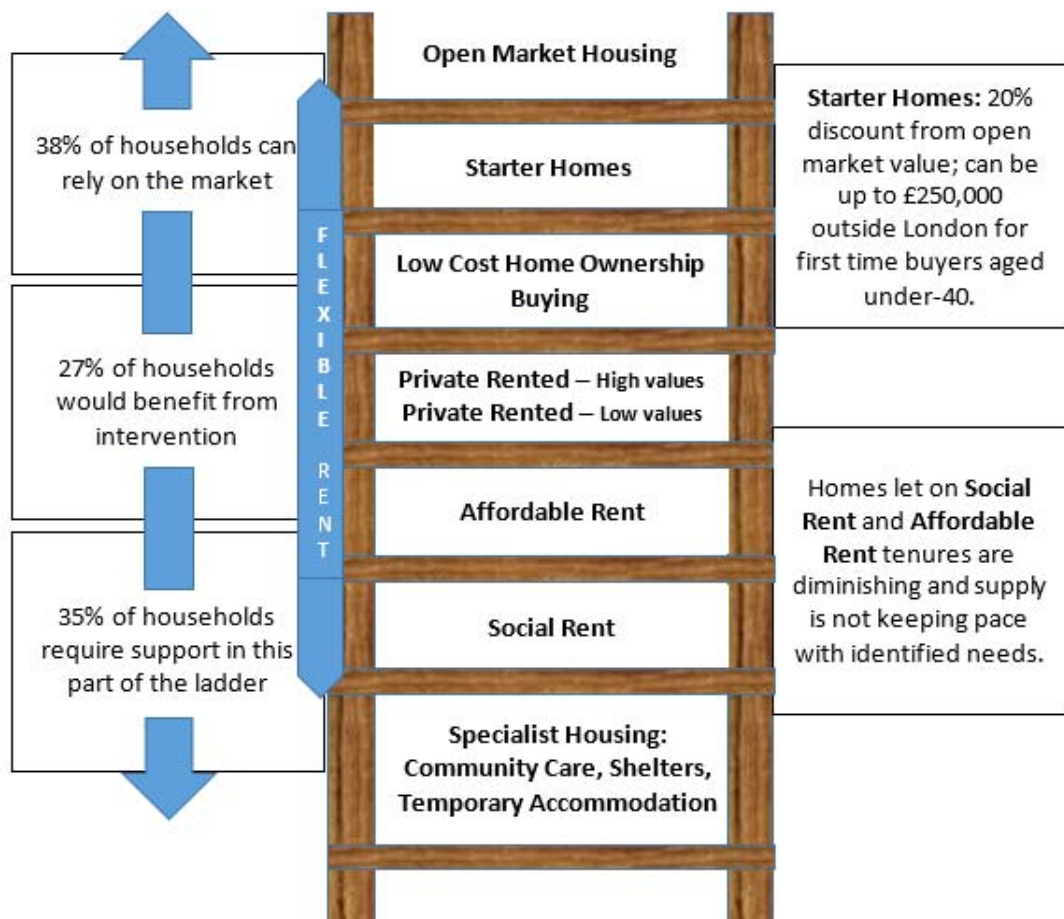
A breakdown of Kirklees's household forecasts shows a prominence of new, small households. The most significant increases by 2039 are forecast for:

- One person households - increasing from 54k to 65k
- Couple, no other adult - increasing from 46k to 56k
- Couple, one or more Adult child - increasing from 13k to 15k
- Households with dependent children - increasing from 54k to 60k

3.7 The housing choices of households are also changing. While home ownership has been the tenure option of choice in the UK for many years, affordability presents a challenge for some households, however, there are also signs that households are making active choices to take alternative tenure options. Key features are:

- 3.7.1 Demand for private rented accommodation continues to rise, now accounting for 17% of households with the most significant concentration being in the Greenhead Ward and the lowest in the Kirkburton Ward where home ownership prevails.

- 3.7.2 Social housing stock accounts for 15% of all housing and is evenly distributed across the district
- 3.7.2 Shared ownership options and other flexible tenures are growing in popularity as more opportunities to access housing in this form become available and acceptable to lenders.
- 3.8 Low levels of development and changing housing demands has resulted in a degree of unmet demand within the marketplace. Unmet demand can take the form of overall household numbers as well as the potential for mismatches between the type, tenure and size of properties. New home completions in 2017/18 are below the anticipated annual growth in household numbers.
- 3.9 Overall affordability in Kirklees remains challenging for many households. The ratio of house prices to income continues to rise across the area, in common with national patterns. In 2017, Kirklees average ratio of house prices to incomes as 5:1 exceeding average lending terms particularly under stricter requirements introduced following the mortgage market review and whilst there appears to be more flexibility in the lending market, the ratio is still prohibitive for many households and the stricter deposit levels also constrains purchasers' ability to 'get a foot on the ladder'.



There are pronounced differences in affordability across the area. There is a growing gap between values in the north and south of Kirklees. Low household incomes also mean that affordability challenges persist in deprived areas, despite values being comparatively low. For example, property

(median value) for sale in the sub area of Batley/Spenningsley requires an income of £30,857.57 and in Huddersfield North, this income requirement increases to £34,071.

- 3.10 On the whole, rural areas are less affordable than urban areas, with income of £48,857 required for the Rural East of Kirklees, and £36,321 for Kirklees Rural West.

3.11 **Maximising the use of Council-owned Land**

If Kirklees is to achieve its growth ambitions for economic growth, it needs to manage its land resources carefully. With a finite supply of land available, there is a need to consider the most appropriate use of each site when determining land allocations and judging individual planning applications. Achieving growth in population or employment in isolation will not deliver Kirklees' overarching ambitions, requiring a balanced approach to allow all elements of growth to be delivered, on scale and in a sustainable manner. The Local Plan has identified priority growth locations for a range of purposes that will collectively contribute to the achievement of overarching growth ambitions.

- 3.12 The Council has a number of sites in its ownership - some of which are dependent on the outcome of the Local Plan process and others that are already allocated for housing in the UDP. To test the appetite for these sites the council has undertaken extensive market engagement through a range of mechanisms and the headline feedback from this exercise is detailed below:

- 3.12.1 Volume housebuilders - strong appetite for entering into a corporate JV with the council
- 3.12.2 Housing Associations and strategic developers - view smaller packages enabling the council to spread its risk whilst diversifying both the mix of developers and range and type of housing built
- 3.12.3 Most commented on the need for a streamlined and simple process for the release of sites that cuts through 'red tape', is cost effective and enables accelerated delivery
- 3.12.4 Most favoured a strategic partnering approach on the land the council owns and wishes to dispose for housing as opposed to a formal tendering exercise (this most readily fits the "land partnership" model as described in the Delivery Models Options Assessment at Appendix 4)
- 3.12.5 Most were supportive of mixed tenure
- 3.12.6 Most fed back that quality of place is as important as increasing supply and stressed the importance of planning of infrastructure both in terms of road and social infrastructure.
- 3.12.7 Most, especially Housing Associations/Strategic Developers are prepared to work at risk to secure planning consent
- 3.12.8 All are comfortable with the council achieving an open market value for the intended use of the land subject to planning and ground conditions

- 3.13 In ensuring the council's assets are used to deliver on its strategic priorities, the council has identified a range of uses for its land holdings in the context of

the issues identified above and these are described below as 4 distinct packages with 3 individually marketed sites.

**3.14 Land for Affordable Housing/Supported Housing/Small Builders (see Appendix 2)**

The levels of affordable housing of all tenures that will be required over the next 15 years is challenging and as well as a commitment to secure the affordable homes through planning policy, the council has identified a number of small sites (with capacity of approximately 100 homes) that lend themselves to affordable/supported housing and a recent soft market testing exercise conducted in partnership with Homes England has demonstrated significant appetite from a number of housing associations. It is proposed the Council agree in principle (subject to the necessary safeguards set out in this report, the parameters and proposed governance for decision making) that following the release of these sites a number of packages of sites with a 'blended' risk profile will be offered to the market on which the market will deliver further affordable housing both through planning policy and with support from Homes England's Shared Ownership and Affordable Homes Programme 2018-21. The 'blended risk' approach is essentially a package of sites that contains low, medium and higher value sites. In this way, some of the sites that might be less attractive to the market will also developed.

**3.15 Land for Specialist Accommodation (See Appendix 2)**

- 3.16 As part of its Housing Strategy 2018-23 (which is the subject of a separate item on the agenda for Cabinet on 29th August 2018), the council has an ambition to meet the housing needs of the most vulnerable by maintaining and strengthening our focus on prevention and early intervention to enable people to access a suitable home of their own and to live as independently as possible, for as long as possible.
- 3.17 18,738 existing Kirklees households are in housing need, which represents 10% of all households. The undersupply of homes impacts on those groups of people in housing need who are unable to access and maintain a home of their own through the market "offer", or who have a need for more specialist accommodation. We will maintain a sharp focus on supporting the districts most vulnerable residents who are in the greatest housing need for a safe, secure and suitable home that is affordable to access, and keep.
- 3.18 The impact and links between housing, health and social care are gaining increasing recognition and the need for more preventative measures that focus on what people 'can do' and enabling greater independence is a key plank of the council's approach to supporting people.
- 3.19 Poor physical and mental health can be both a cause and consequence of homelessness, although it is not always identified as the trigger of homelessness.

- 3.20 The causes of homelessness are complex and multi-faceted and can be split into two categories – structural and individual. Structural issues can include poverty and unstable work or unemployment, whilst individual issues can include substance misuse, mental health and experience of violence.
- 3.21 There are particular groups of people within our population who are vulnerable and who, through a number of factors may experience homelessness, either as a single crisis point in their lives, or more repeatedly. People are vulnerable because of a number of reasons. These include people with disabilities, people who have mental health issues or learning disabilities, young people including those leaving local authority care, young parents, older people, domestic abuse and people coming out of prison, long term hospital settings or the armed forces.
- 3.22 A priority for the Kirklees Housing Strategy 2018-23 is the development and repurposing of housing and supported housing which meets the needs of our vulnerable residents and takes account of changing stages and circumstances of people as they grow older. The number of people across Kirklees aged 65 or over is projected to increase by 28,600 from 71,700 (2014) to 100,300 by 2031, (SHMA, 2016) which represents an increase of nearly 40%.
- 3.23 A review commissioned by the council in 2016 (PFA) identified that by 2030, there will be a shortfall of around 1,350 units of extra care (including for people with dementia).
- 3.24 Taken together, this data suggests we need to enable a significant boost in the supply of supported housing, across a range of tenures including for sale on the open market.
- 3.25 This is a major strategic challenge for the council. Development of appropriate housing for older people in Kirklees must also link in with those homes being able to be adapted, and the provision of equipment and assistive technology which all help to maintain peoples independence and safety at home, for as long as possible.
- 3.26 In addition to meeting the housing need of older people, there are other groups with specialist housing need that the councils land assets can be used for. This includes people with learning disabilities, especially those people who are currently supported at home by parents but for whom this may not be a long term option. Further challenges are presented by the Government's Transforming Care Programme, established as a national response to the Winterbourne View investigation. The programme requires local authorities and Clinical Commissioning Groups to work together to enable severely learning disabled adults who are accommodated in specialist provision in another part of the country to be brought back to their local area.
- 3.27 For Kirklees, although we are making good progress on this with the majority of this group of people, it has become clear there is a need to develop some very specialist and bespoke individual accommodation for our most complex



people with behaviours that are very challenging, to enable a successful move back into Kirklees.

- 3.28 Young people leaving care is also a consideration for the housing growth strategy. If our looked after children are to progress successfully into adulthood and independence, we need to ensure a sufficient supply of supported accommodation that they can move into, from the care setting, whilst at the same ensuring that whilst in care, they are accommodated in settings that avoid institutionalisation.
- 3.29 In response to these challenges a strategic, overarching and cross service approach to the increased and “at pace” development of specialist and supported housing is being taken forward via the Council’s Specialist Accommodation Programme. This aims to transform models for the provision of care and support in Kirklees to meet the needs of our residents, throughout their life course. The programme will develop the approach to commissioning and delivery of specialist accommodation in Kirklees to address the housing needs of people who are vulnerable. As well as the groups we have already referenced, the programme’s focus extends to people needing step down, or short term reablement, people recovering from substance dependencies and offender and ex-offenders. It will also begin to gather evidence and engage partners about what are regarded as emerging or hidden needs around people who experience chaotic lifestyles, people who ‘hoard’ and those who have a lifestyle of long term street drinking who may need ‘wet’ house provision as an alternative to custody.
- 3.30 We will have an increased capacity to meet peoples housing need, through a focussed, targeted and evidence based increased supply of specialist or supported housing that increases people’s independence and reduces the need for them to live in other forms of inappropriate or unnecessary accommodation.
- 3.31 Appendix 2 shows the land that has been identified as suitable for extra care developments for older people. Some of the sites identified are part of larger scale developments to enable older people to live independently as part of wider mixed developments.

**It is proposed these sites are prepared for the market as blended risk packages by land sale agreement at market value with strategic partners who have the knowledge, experience and expertise of developing extra care housing for older people.**

- 3.32 In addition, the specialist accommodation programme has identified a need for 2 specific needs group who currently live in unsuitable or inappropriate residential care or hospital settings and it is proposed these individuals would better placed in supported housing in a community setting.

3.33 **Right to Buy Receipts Programme (RtB)**

3.34 Since the introduction of the Right to Buy for council houses in 1974, council housing stock in Kirklees has reduced from circa 39000 to 23000 units in 2018, each sale generates a receipt that since 2012 can be used as part funding towards capital investment in new social housing otherwise known as `1 for 1 replacement`

3.35 There are strict rules on the use of this funding. Receipts:

3.35.1 Must be used to invest in new social housing

3.35.2 Can be used as up to 30% of the overall capital fund in conjunction with 70% funding from existing HRA/Capital allocation/or another source

3.35.3 Must be spent within 3 years of the sale of the property or must be paid back to treasury with interest.

3.36 Homes England (formerly HCA) grant and RtB 1-4-1 receipts cannot be blended to fund capital investment in new social housing.

3.37 1:1 replacement has been challenging for all local authorities nationally primarily because the level of grant intervention at 30% is less generous than grant levels offered by Homes England which leads housing association partners to refuse the council's RtB receipts since projects are more viable through the Homes England route.

3.38 As a result and to avoid returning the receipt to government, the council has been developing its own programme in partnership with Kirklees Neighbourhood Housing (KNH). It is intended that this programme will be made up of a range of initiatives which not only deliver more council housing but also address some of the challenges and dysfunctions of the market. The initiatives include:

- Buy back of former Council owned properties (Right To Buy Back or RtBB)
- General Fund property that lends itself to residential conversion
- Private Sector (PS) Empty Homes
- Community Premises
- Purchase S106 properties
- Develop Council owned garage sites and other sites where this is appropriate.

**It is proposed that the council continue to work in partnership with KNH to identify and secure suitable land and property opportunities for a RtB receipts programme with a view to ensuring the council maximises the number of council houses built through this route.**

- 3.39 **Land for people with Very Complex and Challenging Behaviour (see Appendix 2)**
- 3.40 The council is working with Calderdale, Kirklees, Wakefield and Barnsley in partnership with the National Health Service England (NHSE) which has allocated £1.975m capital grant from the Transforming Care Partnership (TCP) fund to develop a more appropriate housing, care and support model for 6 individuals who have who have profound learning disabilities and for whom there is a need for bespoke accommodation.
- 3.41 The land at Mayman Lane has been identified as being the most suitable location and size of site for this client group and the council is working with the only provider nationally – Maidstone Community Care and Housing (MCCH) which has any expertise and experience of this type of development to submit the detailed business case in August. MCCH is a registered charity and intends to own and manage the housing and the incumbent risks. MCCH recognises the council will have to competitively procure the care and thus they will have to bid for the care contract and ultimately may not be the care provider for their tenants and are comfortable with working with this model should they fail to win the tender.
- 3.42 As part of this submission and to secure the £1.975m as a firm allocation of funding, there is a requirement to start on site by March 2019, and hence, there is a requirement for a detailed planning submission to have been made by that date. MCCH are willing to undertake this work at risk on the understanding that in the unlikely event they fail to get consent, the council underwrites 50% of their costs. Given the long term benefits for both the outcomes achieved for these individuals, the value for money achieved from moving them from unsuitable and expensive hospital care and protecting the allocation of capital grant from the NHSE.
- 3.43 Finally, the bid to the NHSE requires the council and its partners to either gift the land or re-invest the land receipt as part of the its contribution to the capital costs. MCCH will raise debt capacity for any additional costs over and above the council's contribution and the grant. NHSE are currently discussing the capital contribution the council's partner authorities are prepared to make as part of this requirement.

**It is proposed that:**

- a) The council disposes of the land at Mayman Lane to MCCH for best consideration upon the grant of planning permission for the development of bespoke accommodation for individuals with profound learning disabilities;
- b) The Strategic Director, Economy and Infrastructure, in consultation with the Portfolio Holder, Adults & Independence is given delegated authority to negotiate and agree the terms for the disposal including the provision that the council will pay 50% of the costs incurred by MCCH in preparing a planning application in the event that planning is not granted;

- c) The council recycles the receipt generated as match funding for the Transforming Care Partnership bid by way of grant, which increases the chances of its success and hence the delivery of the bespoke accommodation;
- d) The Strategic Director, Economy and Infrastructure is given delegated authority to determine i) how much of the receipt received from the disposal can be used to constitute grant funding and ii) to negotiate and agree terms of the grant funding;
- e) The Service Director, Legal, Governance and Commissioning is given delegated authority for the council to enter into and execute i) any agreement and transfer and any other ancillary documents and agreements that relate to the disposal of the land and ii) to execute any grant agreement in relation to the grant funding

**3.44 Land for people with Learning Disabilities (see Appendix 2)**

- 3.45 There are currently approximately 25 adults with learning disabilities living in the Mencap residential care home at Castle Hall which is both costly in terms of the commissioned contract but also the home itself is in need of urgent investment resulting from the recommendations of a recent Care Quality Commission's (CQC) inspection. This is a council owned building and therefore repairing and maintenance liabilities sit with the capital programme and at an estimated cost of almost £1m, this does not represent a good use of council resources.
- 3.46 The land at Mirfield Depot has been identified as suitable for this purpose and Connect Housing - a Dewsbury based housing association - has been allocated grant from Homes England to develop 19 supported houses and is prepared to work at risk and pay market value for the land subject to planning which will contribute to the receipts target. The provider is bearing the cost of planning and the associated fees and the completed development will be owned and managed by Connect Housing including the support elements which in essence transfers revenue risk to them. This approach also releases the Castle Hall site for re-development in addition to delivering better outcomes for residents as well as reducing costs to the Council.

**It is proposed that:**

- a) The Council disposes of the land at Mirfield Depot to Connect Housing for best consideration conditional upon the grant of planning permission for the supported housing accommodation for individuals with learning disabilities;
- b) The Strategic Director, Economy and Infrastructure is given delegated authority to negotiate and agree the terms of the disposal;
- c) The Service Director, Legal, Governance and Commissioning is given delegated authority for the council to enter into and execute any agreement and transfer and any other ancillary documents and agreements that relate to the disposal of land at Mirfield Depot.

3.47 **Land for Mixed Tenure Mainstream Housing (see Appendix 2)**

3.48 Although development levels remain low, a pipeline of development is evident. A review of the planning pipeline completed across Kirklees in 2017 showed that there was land in Kirklees with planning permissions to provide approximately 8,000 dwellings but schemes have stalled for a variety of reasons. Considering how schemes can be unlocked is therefore a priority.

3.49 Whilst there is a clear 'need' for more homes, the average income of a Kirklees resident continues to challenge affordability particularly those on low incomes but increasingly those on intermediate incomes. Given sales values have only just reached pre-credit crunch levels, the margin for house builders and developers is restricted and feeds through into land value calculations given build costs have increased at above inflation rates.

3.50 This will have implications for local authorities promoting sites for development, either within their ownership or in locations where land values have remained static. Hence, more work will be needed to support developers/investors, perhaps taking a deferred land payment (on land in the ownership of the council) for example in locations where returns are more difficult to predict, as well as encouraging developers/investors to be innovative in the approaches they can offer to bring schemes forward.

3.51 **Options**

3.52 There are a number of models the council can employ to deliver the housing growth the district needs to satisfy unmet demand and create the residential offer that will make Kirklees an attractive place to live and work.

3.53 These are rehearsed below in the options assessment but before doing that it is important that the council is clear about what it wishes to achieve against which each of the options are assessed. It is proposed the following criteria are used to assess the most suitable delivery model. It should be noted that there won't any one model but will deploy the most appropriate and suitable one for each of the site packages.

Assessment Criteria

- Contribution to 1,000 homes on council owned land by 2023
- Pace of Delivery
- Quality of Place and home
- Mix of tenure
- Policy position for affordable housing
- Approach to Inclusion and Diversity
- Contribution to jobs and apprenticeships – social value
- Land at S123 valuation subject to planning
- Use of Innovation – build systems, flexibility and adaptability
- Level of council control
- Payment Mechanism – deferred, stage payment or on exchange/completion

- Willingness to work at risk to secure planning consent
- 3.54 These criteria will be weighted according to the nature of the site package, the level of council control and the opportunity that we would be seeking to take to the market to enable the council to assess expressions of interest.
- 3.55 **Options Assessment**
- 3.56 This is attached at Appendix 4 and, in summary, there are 6 options that could be employed to secure a delivery partner and whilst all are feasible, in the context of the urgency needed to satisfy the delivery test within the National Planning Policy Framework (NPPF), a number, namely, the Local Housing Company, Corporate JV and a full tender exercise through an existing framework present time risks that the council can ill-afford.
- 3.57 The National Planning Policy Framework (NPPF) housing delivery test requires council's to have delivered 75% (i.e. completions) of the Local Plan annual target on average over a rolling 3 year period by 2020. The cost of failure is that the council would be in a similar planning position as not having a 5 year land supply and hence the council would be vulnerable to planning applications on land not allocated for housing in the Local Plan.
- 3.58 Hence it is proposed the council releases land in distinct packages of blended risks of no more than 400-500 homes per package using either a Land Sale agreement ( this is the "Land partnership" described in Appendix 4), Investment Vehicle or a hybrid of an existing framework to introduce competition and then agree a land sale with the successful partner.
- 3.59 In this model, the council is likely to work with several developers (using the selection criteria above) rather than a single delivery partner. This would spread the concentration risk, introduce a better range of products and tenures and would also demonstrate that Kirklees was a place where a number of housing organisations could operate rather than being a "closed shop" with one organisation. Through the land sale partnership model, the council's control is achieved through the planning system and with a carefully selected partner, it increases the likelihood of satisfying both the delivery test and the ambitions of the council to build 1,000 homes on council owned land by 2023.
- 3.60 However, for strategic sites where there is scale e.g. Bradley it is likely that the council will procure this through an established Framework such as Homes England's Delivery Partner Panel so that it has a greater degree of control over the timing, type and nature of the development.
- 3.61 **Risk**
- 3.62 As with any land development and disposal programme, there are risks to the Council in carrying out a programme of land disposals with the objective of achieving 1,000 new housing units by 2023.

- 3.63 The key risk is that on any given site the units are not actually built out. There are four key reasons why the units on any given site may not be built out which are:
- (i) Planning permission for development on the site is not granted; or
  - (ii) Planning permission for the site is obtained but the planning permission cannot be lawfully implemented because the site is subject to public rights (eg village greens) and/or private rights (e.g. rights of way);
  - (iii) The site is land banked by the developer; or
  - (iv) The developer incurs financial difficulties and is unable to build out the site
- 3.64 As far as i) is concerned, the risk can be mitigated by ensuring early dialogue with planners, pre-application meetings to achieve the alignment of the proposals to planning policy and what might or might not be regarded as acceptable. In addition the land sale would be subject to gaining planning consent and hence the site would continue to be council ownership.
- 3.65 As far as (ii) is concerned this risk can be mitigated by ensuring the council has identified any issues impeding development and make it available as part the information packs to prospective purchasers and in certain appropriate circumstances by the Council using its positive planning powers. However, it would be necessary for the private rights to be identified and for agreement to be reached on which party would pay the compensation to the third party with the benefit of the rights.
- 3.66 As far as (iii) is concerned this risk can be mitigated by the developer imposing a development obligation (through the land sale agreement) on themselves or offering a buy back option to the council in the event of any failure to develop. The imposition of a development obligation by the council would though mean that any disposal may be subject to the EU procurement rules which would have consequences as to the speed at which any disposal can be carried out. Positive obligations would be more appropriate on the larger strategic sites such as Bradley. A buy-back option would protect the council from non-delivery, however, has some of its own challenges (not insurmountable) for the developer's funders and could be costly for the council to exercise in the event of developer default.
- 3.67 As far as (iv) is concerned this risk can be mitigated by conducting robust due diligence and choosing developers that are in good financial standing.
- 3.68 The secondary risk is that the Council does not get paid for the land. This risk will arise if there is any form of deferred sale agreement and/or overage arrangement. This risk can be eliminated by requiring the payment of a full premium on completion or it can be mitigated by choosing a developer that has a good financial covenant.

### 3.69 **Supporting Economic Growth**

3.70 Kirklees is already an important driver within the regional economy and has ambitious plans in place to strengthen its economic position. The Kirklees Economic Strategy sets out the Council's ambition to unlock the potential of the district and develop an economy that will create jobs and prosperity.

3.71 Housing and regeneration activities will play an important role in realising this ambition, including by:

- Providing the volume of housing needed to accommodate a growing workforce and to retain a proportion of spend within the district, including to realise the Local Plan ambition to build 10,000 homes by 2023;
- Adjusting the mix of housing to ensure it responds to the needs of a growing economy for example, to satisfy the needs of lower income households and an ageing population to support the more efficient use of housing;
- Providing a supply of development sites suitable for both housing and employment uses, including well located brownfield sites;
- Supporting strategic growth locations that can make a significant contribution to realising growth ambitions;
- Creating direct employment opportunities in the construction sector to deliver new and improved stock;
- Improving existing housing stock, especially in terms of energy efficiency and ensuring that the use of finite resources is considered and minimised; and Investing in the skills required in the future to deliver modular housebuilding at scale

### 3.72 **Enabling Regeneration**

3.73 Economic, social and environmental regeneration is often required to improve the attractiveness of places and attract investment. Whilst Kirklees is relatively prosperous overall, there are areas that continue to require intervention to support regeneration and development goals.

3.74 In parts of the district, market conditions remain challenging and private investor confidence is low. In these areas there is likely to be a greater need for public sector investment to stimulate the private market, for example through joint development initiatives where public intervention can help to reduce the perceived risk to investors and enable developments to begin build out.

3.75 Delivery of the Housing delivery plan will support the achievement of regeneration objectives including through:

- Providing infrastructure to unlock brownfield development sites and the council can recoup this from the uplift in land value;
- The use of public assets (including land) to enable development;



- Site preparation works, including site remediation where appropriate;
- Place making interventions that can help to improve perceptions of areas;
- Returning vacant properties to active use; and
- In exceptional cases, limited site assembly to unlock development.

3.76 To achieve this, the council has identified a package of sites that will be made available to the market that contribute to this broader growth and regeneration agenda whilst accelerating housing supply to address the unmet needs identified. These sites will also aim to address the Children's Sufficiency Strategy which is indicating the preferred model for children's homes in the future will be provided for in small group homes of a domestic nature integrated into wider developments i.e. a 4 bedroomed house. The land identified is shown in Appendix 2

**It is proposed these sites are prepared for the market as blended risk packages by land sale agreement (at unrestricted market value) and or partnering with an investment vehicle for best consideration with strategic partners. As described in paragraph 3.14 the 'blended risk' approach is essentially a package of sites that contains low, medium and higher value sites. In this way, some of the sites that might be less attractive to the market will also developed..**

### 3,77 Land for Design Innovation Competition - the Kirklees Housing Standard

3.78 As part of the Council's ambition to innovate and deliver new housing through the use of non-traditional build technologies, that delivers a development which drives higher standards, promotes low carbon living and one that is flexible and adaptable to the changing needs and circumstances of households using off-site manufacturing systems, it would be appropriate for the council to hold a design competition to pilot the deliverability and measure the impact of this type of housing.

3.79 The detail brief for this competition needs to be worked up and it is intended that this is done in partnership with Homes England, Huddersfield University's School for the Built Environment and Kirklees College.

3.80 The criteria for assessment for this competition have yet to be finalised and the council will need to determine the appropriate balance between price and quality it wishes to achieve. The winning proposal will be judged against these criteria by a panel of judges drawn from the council, its partners and potentially an industry expert.

#### **It is proposed that:**

- a) The council holds a design competition to pilot this on an appropriate site in the ownership of the council;
- b) The Strategic Director, Economy and Infrastructure, is given delegated authority to identify the most appropriate site and agree the parameters of

- the design competition in conjunction with the portfolio holder, Adults and Independence;
- c) The Cabinet receives a future report on the outcome of the competition, approve the partner selection and the terms of the land disposal so that the winning scheme is built out.

3.81 **Delivering a Low Carbon Economy**

3.82 Kirklees's commitment to reducing carbon emissions must be recognised in the delivery of housing and regeneration activities. It is a central strand of the Council's policies and is recognised across partner activities. Low carbon objectives are also becoming increasingly important at a national level, including the development of more low carbon homes. Taking steps to deliver low carbon homes is therefore essential in creating homes that keep energy costs low in order to tackle fuel poverty as well as reducing the carbon footprint.

3.83 Delivery of activities through the Housing delivery plan will contribute to this agenda by:

- Promoting stock improvements to improve energy efficiency
- Encouraging energy efficient building methods wherever possible and supporting the delivery of low carbon housing;
- Enabling the provision of utilities infrastructure (including district heat networks) where necessary to support priority new development schemes; and
- Supporting development in priority development locations that are well served by transport infrastructure and/or are in close proximity to employment areas.

3.84 Improvements to the energy efficiency of homes can also generate wider benefits. For example, the link between warm homes and improved health are well documented, particularly amongst older households. Such benefits can generate wider savings for Kirklees, for example reducing healthcare costs and pressures on service provision, which can support wider local policy objectives.

3.85. **Creating the Environment for Growth**

3.86 There is strong recognition that housing and regeneration activities need to be planned alongside other interventions to achieve their greatest impacts. This includes the need to create an environment for growth that delivers infrastructure and new development to cater for a growing population and household numbers and to consider the need for place making interventions alongside direct housing interventions.

3.87 A series of priorities have been identified through work in Kirklees to date, including:

- Establishing transport infrastructure that connects businesses and the workforce within the district and to opportunities outside the area in the wider city region;
- Facilitating digital connectivity, to ensure the area benefits from competitive connections;
- Delivering key investments to support business and improve the overarching attractiveness of the district as a place to live, quality of life and the residential offer
- Supporting the distinct roles of different parts of the district and assisting all areas to secure private sector investment.

### 3.88. **Recognising the Economic Contribution of Housing**

In addition to making a strong contribution to strategic objectives, delivery of the Housing delivery plan will have a lasting impact on the economy of Kirklees. The economic impact of new housing development is well documented; generating direct employment, supply chain benefits and training initiatives for young people through apprenticeships are key features.

### 3.89. **The Economic Role of the Construction Sector**

3.90 The construction industry is an important part of the Kirklees economy, and its distribution across the geography makes it an important source of local employment and providing important opportunities for young people to learn a trade, with many of the major house builders committed to creating the workforce of the future.

3.91 It is estimated that an additional £1 of demand for construction activity generates £2 of economic output through direct and indirect multipliers. This ratio is greater than for sectors such as banking and finance (£1.60) and real estate (£1.50) and construction profits are more likely to remain in the UK due to the relatively small number of foreign-owned firms in the sector. Similarly, research has found that every £1 spent on construction output generates almost £3 in total economic activity.

3.92 Across the North of England, the Northern Housing Consortium estimate that housing organisations alone support £10.3bn of expenditure and 116,000 jobs. The LEP estimates that the construction of 2,000 extra homes will require construction expenditure of £160m, generating £454m for the economy.

### 3.93 **Supporting Wider Growth**

3.94 National Housing Federation research suggests that for every new home built in the district 1.6 jobs will be created, rising to 2.4 jobs for every affordable home built. Once new homes are occupied, they also provide opportunities to capture higher levels of expenditure within the local economy, for example through household expenditure in shops and use of local services.

- 3.95 The role that housing can play in catalysing sustainable economic growth is well documented and, amongst other things, it can support economic and social mobility, create attractive locations for skilled labour and support vulnerable groups, all of which support economic prosperity.
- 3.96 The Role of Housing in the Economy study commissioned by the Homes and Communities Agency (2010), further highlighted a range of economic contributions, including housing's macro-economic role (the sector's overall national economic multiplier is one of the highest), housing wealth impacts on consumption and the role of the market in supporting labour mobility (e.g. growth of the private rented sector).

## **4.0 Implications for the Council**

### **4.1 Early Intervention and Prevention (EIP)**

The principles that have underpinned the proposed delivery plan, particularly for the Specialist Accommodation, are based on work with social care colleagues and partners to ensure new developments seek to maximise the independence of people by providing supported housing in more appropriate settings and hence delay the need for more intensive or costly services.

In addition, the proposals seek to prevent and alleviate homelessness by addressing the sufficiency agenda by providing more appropriate housing (temporary and long term) and enabling people to manage sustainable tenancies

One of the key objectives of the plan is to create Quality Places through the careful planning of green infrastructure and open spaces as well as the design of the home itself which has a known positive impact on health well-being.

### **4.2 Economic Resilience (ER)**

By delivering well designed, flexible and adaptable homes the housing delivery plan will contribute to economic growth, create jobs and apprenticeships both in mainstream construction but also in other sectors such as care and housing support.

A good quality residential offer in attractive places will help to retain and attract economically active people who work in Kirklees as well as those that commute to the major urban centres of Leeds, Manchester and Sheffield.

### **4.3 Improving Outcomes for Children**

The plan has been developed in conjunction with a wide cross section of the council including Children's Services and the emerging Sufficiency Strategy.

The housing delivery plan has a clear focus on ensuring the housing environments we create give children the best start in life.

The proposals contained in this report include for initiatives such as strengthened 'wrap-around' support for Care Leavers, better and smaller children's homes in domestic settings woven and integrated to mainstream developments and through better provision for older people releasing under-occupied properties for families and their children to live in.

They will also have educational benefits by providing skills training and involving and engaging school children in the construction process and where housing growth leads to new school provision.

#### **4.4 Reducing demand of services**

Whilst housing growth leads to population growth and hence, it can be argued the effect of these proposals would be to increase demand on services, this growth comes with a growth in income for the council in council tax and new homes bonus.

However, these proposals will impact on more intensive, high cost services such as residential and nursing care through the provision alternative models such as Extra Care Housing for older people.

#### **4.5 Legal/Financial or Human Resources**

The sale of land generates receipts for the council and as such the council has a previously agreed financial target for receipts from the sale of land and property. This was predicated on a previous strategy of disposals at auction and where appropriate procuring a development partner. The new strategy and delivery model for the council's owned land as proposed in this document has an impact on the receipts profile which is currently being mapped out.

Some of the sites in the programme will require upfront infrastructure or de-risking investment and as such the council had been actively bidding for resources to both local and national funding 'pots' and has applied for grant on Ashbrow (£2.3m) and successfully been shortlisted for Dewsbury Riverside (£22.5m) and is now in the detailed due diligence phase.

The council has been advised by the regional office of Homes England that allocations of grant for infrastructure works on the sites at Soothill and the Waterfront from the Accelerated Construction Programme will be made and the council is awaiting the formal offer letter Cabinet will be updated as necessary if there has been any progress relating to this before the cabinet meeting to help inform their decision.

In the budget round 2018/19, the council has allocated £0.5m revenue (£250k for specialist and £250k for mainstream) to progress the sites. Over the course of the last 3 months, officers have been refocused so that there is a dedicated housing delivery resource and there has been recruitment of 3 posts that has brought in additional capacity and capability. Whilst this creates some project management capacity and a dedicated team, the scale of the ambition and the pace at which it needs to be delivered will require the council

to build additional capability, more specifically additional development expertise to negotiate the deals.

The size of this additional capacity and capability is dependent on the number of land packages and the new operating model for the Economy and Infrastructure Directorate and where capacity can be released it will be refocused onto delivery of the council's housing ambitions.

Officers are currently working on the overall skill and capability that the council already has in its housing, legal, finance and related teams, the size and complexity of each of the packages, the resource required to deliver and the gap taking into account the above. Officers are also exploring how any additional resource that may be required can be funded either through capitalisation or other routes that will be considered as part of the forthcoming budget round.

In addition to development expertise, one major gap that has been identified is the need for more legal resource at the appropriate times. The support required cuts across several disciplines including LLPs, SPVs and packaged land transactions with development agreements as well as procurement matters and State Aid. This will need to be met through a combination of the existing team supplemented by additional staff and / or using solicitors on the existing West Yorkshire (WYLAW ) legal framework, This will be done as timescales for the projects and work demands are worked up.

The report recommends that much of the decision making on projects moving forwards is delegated to the Strategic Director – Economy and Infrastructure. One of the next steps to support that role will be to set up appropriate governance structures to enable that decision making to be done effectively and transparently with support from a dedicated team of officers supplemented by external support where needed.

## **5.0 Consultees and their opinions**

There has been significant market engagement that has already been conducted and Officers have engaged with ward members on sites in their wards and their feedback is contained in Appendix 3. As an indicative plan it is proposed:

- Full Council debate at the September 2018 Council meeting to adopt the Housing Strategy
- A Housing Summit to launch the council's plans – essentially to say to the market 'we are open for business' – on 19<sup>th</sup> September 2018 at which the Chief Executive and/or the Leader of the council alongside the Chief Executive of Homes England will be the keynote speaker(s).
- Prepare and take land to the market for disposal and development, the first of which is anticipated for early in 2019.

## **6.0 Inclusion and Diversity**

The proposal contained in this delivery plan intend to cover a multitude of needs and demands ranging from people with learning and physical disabilities to affordable and market rented housing to market sale housing at a range of sizes and prices. The housing developed will enable young and old alike to access good quality homes. The proposals will also create opportunities for skills training, apprenticeships and jobs in the construction industry but also in the housing support and care sectors.

As each package is developed there will be a need to carry out Equality Impact Assessments on the proposals and ensure the council complies with its equality duty.

## **7.0 Next steps**

If approved the next steps will be to prepare the land for the market and will include:

- Appraising the sites and commissioning site surveys
- Appraising the viability of the sites
- Appointing property and legal advisors where in-house capacity is constrained
- Creating a virtual data room for interested purchasers
- Develop Heads of Terms
- Invite expressions of interest
- Select appropriate partner
- Agree valuations post planning consent
- Establish appropriate governance arrangements to support the Strategic Director in decision-making and to ensure there is an appropriate level of oversight of the Housing Land Disposal and Development Programme and the individual projects it consists of.

## **8.0 Officer recommendations and reasons**

It is recommended that Cabinet consider the approach and agree:

- a) The proposal for a programme of housing land disposals and development to enable the delivery of the council's strategic ambition for more affordable housing, specialist accommodation, Right to Buy receipts programme (as described in paragraphs 3.33- 3.38) and for mainstream mixed tenure housing. Also, note that the council is at an early stage of site analysis and so a degree of flexibility will be needed as more becomes known about site feasibility and constraints and the finalising of the local plan

- b) The proposal to work with an identified specialist partner as set out in paragraphs 3.39 – 3.43 to deliver new provision for people with very complex and challenging behaviours currently living in hospital;
- c) The proposal to work with an identified partner to develop supported housing for adults with Learning Disabilities as set out in paragraphs 3.44-3.46 currently living in the Mencap scheme at Castle House;
- d) The proposal to run a design competition as set out in 3.77-3.80 on an appropriate site in the ownership of the council including that the Strategic Director, Economy and Infrastructure is given delegated authority to identify the most appropriate site and the parameters of the competition.
- e) The Strategic Director, Economy and Infrastructure in consultation with Portfolio Holder for Adults and Independence is given delegated authority to determine the blended packages, the selection of partners and negotiate and agree the terms of the disposal (as described in paragraphs 3.15- 3.80 ) subject to:
  - detailed due diligence and business case viability; and
  - appropriate governance arrangements to ensure oversight of the programme and the individual projects within it.
- f) The Cabinet receives periodic updates to report on the progress and performance of the Land Disposal and Development Programme.

## **9.0 Cabinet portfolio holder's recommendations**

These proposals have been carefully considered and are evidence based. The delivery of this plan will meet many of the unmet needs of a range of Kirklees residents through a mixed tenure approach that will create attractive places for people to live and work. I am fully supportive of the recommendations.

## **10.0 Contact officer**

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## **11.0 Background Papers and History of Decisions**

Appendix 1 - Use of Compulsory Purchasing Powers

Appendix 2 - List of sites

Appendix 3 - Summary of Councillor Comments received

Appendix 4 - Options Appraisal



## **12.0. Service Director responsible**

Naz Parkar – Director of Housing

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## **Appendix 1**

### **THE USE OF COMPULSORY PURCHASE POWERS PURSUANT TO THE TOWN AND COUNTRY PLANNING ACT 1990**

#### INTRODUCTION

A local authority may make use of compulsory purchase powers provided the acquisition falls within a power provided by legislation. There are a number of powers in various statutes, each of which specify a particular purpose for which land can be acquired. Some powers are quite specific, whereas others are more general. Acquiring authorities are advised to use the most specific power available, relying only on a general power where it is unavoidable.

Compulsory purchase is intended as a last resort to secure the assembly of land needed for the implementation of projects. This does not mean that the acquiring authority must wait for negotiations to break down before starting the compulsory purchase process. Given the amount of time required to complete the compulsory purchase process, it is sensible to initiate formal procedures whilst negotiations are still in progress.

#### MINISTERIAL POLICY REQUIREMENT

Ministerial policy requires that a compulsory purchase order may only be made if there is a “compelling case in the public interest” This long standing requirement also encapsulates the requirements of the European Convention on Human Rights. The main rights which may engage in a compulsory purchase situation is under Article 1 of the First Protocol. This provides that every person is entitled to the peaceful enjoyment of their property and possessions except in the public interest and subject to the conditions provided by law. When this Article is engaged the question will arise as to whether the interference by the public authority is justified. This will involve a balancing exercise which compares the competing interests of the public good on the one hand, and the rights of the landowner on the other. The test is whether a fair balance is struck between the competing interests.

## JUSTIFICATION FOR MAKING AN ORDER

When considering whether to pursue a compulsory purchase order, it is for the acquiring authority to decide how best to justify its proposals, which it may need to defend at a public inquiry. The more comprehensive the justification, the greater the likelihood that the order will be confirmed. If the acquiring authority cannot demonstrate that all necessary resources and consents are in place to achieve the completion of the scheme within a reasonable timescale, the harder it will be to convince the Secretary of State that confirmation of the order is in the public interest. It follows that an acquiring authority must demonstrate that the financial resources to complete the project is available. It is also desirable to have obtained any necessary planning consents, before the CPO process is engaged. Only in exceptional circumstances is the Secretary of State likely to confirm an Order if there is little prospect of implementing the scheme within the statutory timeframe. The acquiring authority should also be ready to address whether there is likely to be any impediment to implementing the scheme such as infrastructure or accommodation works which will be required before the scheme is implemented.

## TOWN AND COUNTRY PLANNING ACT POWERS

I am now in a position to understand more fully the purposes behind the wish to exercise compulsory purchase powers in this instance. My understanding is that there are plans to regenerate Dewsbury Town Centre by acquiring buildings for occupation. There is a key spatial priority within the Leeds City Region Strategic Economic Plan to take the proposal forward. From the information I have been provided with, it would appear that the most appropriate power for a compulsory purchase in this instance is section 226 of the Town and Country Planning Act 1990 ("the Act"). This enables local authorities to acquire land compulsorily for development and other planning purposes. This is a positive tool intended help acquiring authorities to assemble land, where this is provided for in a local plan or where there are strong planning justifications. In this instance the appropriate power would fall within section 226(1)(a) of the Act which enables acquiring authorities with planning powers to compulsorily acquire land if it will facilitate the carrying out of development, redevelopment or improvement in relation to the land being acquired, and it is not certain the authority will be able to secure the land by agreement. The wide power of section

226(1)(a) is subject to the restriction that the acquiring authority must not exercise the power unless it believes the proposal is likely to contribute to achieving the promotion or the improvement of the economic, social or environmental well-being of the area. This is not necessarily restricted to the area which is actually being compulsorily acquired. That said it would be necessary to obtain more details of the proposed project before a definitive answer can be provided on the most appropriate power and I have not discounted the powers to compulsorily acquire land under the Housing Act.

The Council has made several compulsory purchase orders under planning powers in recent years. It also compulsorily acquired Pioneer House in Dewsbury Town Centre under the Listed Building Act as a listed building in need of repair.

The compulsory purchase process is not a swift one even when there are no objections to the Order. In that event the acquiring authority may itself confirm the Order rather than submitting it to the Secretary of State for confirmation. It can take up to 12 months from obtaining Cabinet approval to confirmation of the Order. However if there is an objection the matter would usually be determined by a public inquiry which could add a further 6-12 months to the process.

It should be noted that the compulsory purchase procedure is not confined to the legal process. A lead regeneration officer is appointed to oversee the process. This person would be responsible for co-ordinating the process and would draft and present the Cabinet report, seeking the authority to pursue a compulsory purchase order. That person would be responsible for preparing a "statement of reasons" for making the Order. This is the document that the Secretary of State would consider when deciding whether to confirm the Order.

A surveyor would be required to undertake "referencing" which entails identification of all qualifying interests in the land to be acquired. The surveyor would also be responsible for producing the Order Plan in a format specified by regulations and would prepare a schedule of land to be acquired to annexe to the Compulsory Purchase Order. The surveyor would be

responsible for attempting to secure the land by agreement throughout the compulsory purchase process.

Legal Services would liaise with the lead officer and surveyor in the preparation of the Cabinet report. It would assist in producing the statement of reasons, draft the Order and produce documents to be submitted to the Secretary of State. In the event the Order was confirmed it would prepare the notice to treat or vesting declaration which vested legal title in the land to the acquiring authority. It is too early to determine whether the compulsory purchase would be undertaken in-house. However Legal Services has a framework arrangement with external solicitors so there would be no obstacle in respect of progressing the Order in the event it was not undertaken in-house.

#### PROCEDURAL STEPS

The following are the steps involved in a typical compulsory purchase:

- (i) The acquiring authority resolves to make a compulsory purchase order to acquire the (defined) land for a particular purpose, pursuant to a specific statutory power;
- (ii) The acquiring authority prepares a list of all “qualifying persons” which includes owners, lessees, tenants and occupiers of land proposed to be acquired so they can be traced and served with notice;
- (iii) The authority makes an Order under seal, in the prescribed form describing the land by reference to a map and listing owners, lessees, tenants and occupiers and any other qualifying persons;
- (iv) The authority must publish a notice stating the order has been made and is about to be submitted to the Secretary of State for confirmation in at least one local newspaper for two successive weeks and must display a site notice in a prescribed form on, or near the land. The authority must also serve a notice stating the effect of the order on every owner, lessee, tenant and occupier and that the notice is about to be submitted for confirmation. The notice must state how, and when objections to the order can be made;
- (v) Providing the notice requirements have been complied with; the confirming authority may confirm the order with or without modification where:-

- (a) no relevant objection is made by any qualifying person, or if such objection is withdrawn; or
  - (b) following a public inquiry if objections have not been withdrawn
- (vi) In the event that the notice is confirmed the order must be published in a prescribed form by the acquiring authority, in at least one local newspaper circulating in the area and a site notice must be displayed on or near the land. A like notice and a copy of the confirmed order must be served on all persons on whom the original notice was served;
- (vii) Challenges to the validity of the Order on the grounds that it is not within the statutory authority, or that there has been no-compliance with a relevant requirement may be made to the High Court. However this must be done within six weeks from the first publication of the notice of confirmation and it can only be brought by a “person aggrieved” by the order.

If a compulsory purchase order is confirmed the Order becomes “operative” on the date that the confirmation notice is published in the local newspaper. The next step is to serve a “notice to treat” or a “notice of intention to make a general vesting declaration” to obtain legal title to the land.

## COMPENSATION

The valuation of the interest in the acquired land will be based on the following Heads of Claim:

- **The Value of the Land Taken** – the market value of the land required for the scheme plus the additional items of compensation comprising;
- **Severance & Injurious affection** – depreciation in value of the retained land when only part of the land holding is to be acquired. Severance occurs when the land acquired contributes to the value of the land which is retained, so that when severed from it, the retained land loses value. Injurious affection is the depreciation in the value of the retained land as a result of the proposed construction on, and use of, the land acquired by the acquiring authority for the scheme. Compensation is claimable both for the construction of the works and their subsequent use.

- **Disturbance** – an investment owner has the right to recover incidental costs in particular circumstances, but normally only available to occupiers of the property. It will comprise the costs & losses incurred as a result of being disturbed from occupation of the property or land. It will include temporary loss of profits
- **Fees** – Surveyors fees incurred in preparing and negotiating a compensation settlement together with solicitors fees for conveyancing.
- **Loss Payments** – Property investors and business owner occupiers who meet the qualifications can claim a Basic Loss Payment. This payment is calculated at 7.5% of the value of an interest up to a maximum sum of £75,000. In addition, an “occupier”, whether they be an owner occupier or a business tenant (subject to qualification criteria) may also be entitled to an Occupier Loss Payment. This payment equates to an additional 2.5% of the value of the interest, or £25 per sq m of building taken (or £2.50 per sq m of land) subject to a minimum sum of £2,500 and a maximum payment of £25,000.

The above is an outline of the relevant steps involved in acquiring land by compulsory purchase and does not list every stage of the process.

**FULL LIST OF SITES - APPENDIX 2**

Site Name	Ward	Councillors	Gross Area Ha	UDP	Post Code	Specialist	timetable
Land north Ashbrow Road	Ashbrow	James Homewood, Amanda Pinnock & Harpreet Uppal (L)	4.65	Housing	HD2 1DU	Extra Care	1
South of, Ravensthorpe Road / Lees Hall Road, Dewsbury	Dewsbury South/Mirfield	Masood Ahmed, Gulfam Asif & Nosheen Dad (L)/Martyn Bolt, Vivien Lees-Hamilton & Kath Taylor (C)	27	Housing/Urban Greenspace	WF12 0RT		1
Land to the east of Netheroyd Hill Road, Cowcliffe	Ashbrow	James Homewood, Amanda Pinnock & Harpreet Uppal (L)	1.99	Provisional Open Land	HD2 2LX		2
Land north of Deighton Road, Deighton	Ashbrow	James Homewood, Amanda Pinnock & Harpreet Uppal (L)	2.52	Urban Greenspace	HD2 1JP		2
Common Road, Batley	Batley West	Gwen Lowe (L), Marielle O'Neill & Shabir Pandor (Labour & Cooperative)	0.66	Housing	WF17 7RB	SAHP	2
Raikes Lane, Birstall	Birstall & Birkenshaw	Robert Light, Elizabeth Smaje & Mark Thompson (C)	2.16	Housing	WF17 9QU		2
Land Adjacent to Kenmore Drive (Rooks Avenue), Cleckheaton	Cleckheaton	John Lawson, Andrew Pinnock, Kath Pinnock (L D)	1.68	Housing	BD19 3EJ	Extra Care	2
Land Adjacent to Highmoor Lane, Hartshead, Liversedge	Cleckheaton	John Lawson, Andrew Pinnock, Kath Pinnock (L D)	1.62	Urban Greenspace	BD19 6LW	Extra Care	2
Land NW of, Gordon Street, Slaithwaite	Colne Valley	Donna Bellamy (C) Nell Griffiths & Rob Walker (L)	0.82	Housing	HD7 5LH		2
Woods Avenue, Marsden	Colne Valley	Donna Bellamy (C) Nell Griffiths & Rob Walker (L)	0.23	Not allocated	HD7 6LA	SAHP	2
Nabcroft Lane	Crosland Moor & Netherton	Erin Hill, Manisha Roma Kaushik & Mohammad Sarwar (L)	0.49	Not allocated	HD4 5EP	SAHP	2
Smithy Parade, Thornhill, Dewsbury	Dewsbury South	Masood Ahmed, Gulfam Asif & Nosheen Dad (L)	0.62	Not allocated	WF12 0HL		2
Land east of, Heckmondwike Road, Dewsbury Moor, Dewsbury	Dewsbury West	Mumtaz Hussain, Darren O'Donovan & Mussarat Pevaiz (L)	1.79	Provisional Open Land	WF13 3PH		2
RM Grylls, Windy Bank Lane, Cleckheaton	Liversedge & Gomersal	Michelle Grainger-Mead, David Hall & Lisa Holmes (C)	3.6	Urban Greenspace/Greenbelt	WD15 8EX		2
Mowat Court, Hightown	Liversedge & Gomersal	Michelle Grainger-Mead, David Hall & Lisa Holmes (C)	0.35	Not allocated	WF15 8LN	SAHP	2
Flash Lane, Mirfield	Mirfield	Martyn Bolt, Vivien Lees-Hamilton & Kath Taylor (C)	2.29	Housing	WF14 0PJ		2
Kitson Hill Crescent, Mirfield	Mirfield	Martyn Bolt, Vivien Lees-Hamilton & Kath Taylor (C)	0.26	Not allocated	WF14 9ER	SAHP	2
Former Mirfield Depot	Mirfield	Martyn Bolt, Vivien Lees-Hamilton & Kath Taylor (C)	0.2	Not allocated	WF14 8AX	Spec Acc	2
Land at former Stile Common School, Plane Street, Newsome	Newsome	Karen Allison, Andrew Cooper & Julie Stewart Turner (G)	0.94	Not allocated	HD4 6DF	SAHP	2
Waterfront	Newsome	Karen Allison, Andrew Cooper & Julie Stewart Turner (G)	1.21	Not allocated	HD1 3FJ		2



Site Name	Ward	Councillors	Gross Area Ha	UDP	Post Code	Specialist	timetable
Blue Bell Hill/Bagden Lane, Newsome, Huddersfield	Newsome	Karen Allison, Andrew Cooper & Julie Stewart Turner (G)	1.6	Provisional Open Land	HD4 6JZ	SAHP	2
Off Fox Royd Drive, Mirfield	Mirfield	Martyn Bolt, Vivien Lees-Hamilton & Kath Taylor ( C)	0.12	Not allocated	WF149ER	SAHP	2
Land north of Bradley Road, Bradley, Huddersfield	Ashbrow	James Homewood, Amanda Pinnock & Harpreet Uppal (L)	20	Housing/Urban Greenspace	HD2 1RD	Extra Care	3
Land off, Soothill Lane, Lower Soothill, Batley	Batley East	Mahmood akhtar, Fazila Loonat & Habiban Zaman (L)	15.19	Housing	WF17 6EU	Extra Care	3
Wards Hill, Batley	Batley East	Mahmood akhtar, Fazila Loonat & Habiban Zaman (L)	0.55	Not allocated	WF17 5HZ		3
Land Adjacent, Mayman Lane, Batley	Batley West	Gwen Lowe (L), Marielle O'Neill & Shabir Pandor (Labour & Cooperative)	1.19	Not allocated	WF17 7TA		3
Land to the east of, Upper Clough, Linthwaite, Huddersfield	Colne Valley	Donna Bellamy ( C) Nell Griffiths & Rob Walker (L)	1.54	Provisional Open Land	HD7 5PF		3
Cliffe Street, Dewsbury	Dewsbury East	Eric Firth, Paul Kane & Cathy Scott (L)	1.36	Not allocated	WF13 1RD		3
Land to the East of, Main Avenue, Cowlersley, Huddersfield	Golcar	Christine Iredale (L D) Richard Murgatroyd & Hilary Richards (L)	2.18	Housing	HD4 5US		3
Land east of Fern Lea Road	Lindley	Cahal Burke, Richard Eastwood (L D) Gemma Wilson (L D)	0.84	Housing	HD3 3JZ		3
Former Gomersal Primary School, Oxford Road, Gomersal	Liversedge & Gomersal	Michelle Grainger-Mead, David Hall & Lisa Holmes ( C)	1.42	Greenbelt	BD19 4JR		3
Land south of Cambridge Road, Huddersfield	Newsome	Karen Allison, Andrew Cooper & Julie Stewart Turner (G)	1.27	Not allocated	HD1 5BW		3
Land south east of Blue Bell Hill, Newsome, Huddersfield	Newsome	Karen Allison, Andrew Cooper & Julie Stewart Turner (G)	0.78	Not allocated	HD4 6LF	SAHP	3
Land Adjacent Orchard Terrace, Newsome, Huddersfield	Newsome	Karen Allison, Andrew Cooper & Julie Stewart Turner (G)	0.516	Not allocated	HD4 6DA		3
Land north of Fenay Lane, Almondbury, Huddersfield	Almondbury	Judith Hughes(L) Bernard McGuin (I) Alison Munro (L D)	10.05	Greenbelt	HD8 0AR	Extra Care	4
Land South of St Thomas Gardens, Bradley, Huddersfield	Ashbrow	James Homewood, Amanda Pinnock & Harpreet Uppal (L)	0.95	Unallocated	HD2 1SL		4
Land Adjacent Mayman Lane, Batley	Batley West	Gwen Lowe (L), Marielle O'Neill & Shabir Pandor (Labour & Cooperative)	0.56	Not allocated	WF17 7TA	Spec Acc	4
Red Laithes Court, Red Laithes lane, Ravensthorpe, Dewsbury	Dewsbury West	Mumtaz Hussain, Darren O'Donnovan & Mussarat Pevaiz (L)	0.45	Unallocated/Housing	WF13 3DB		4
Land north of Jackroyd Lane, Newsome, Huddersfield	Newsome	Karen Allison, Andrew Cooper & Julie Stewart Turner (G)	1.06	Provisional Open Land	HD4 6NA		4
Land North of Flint Street	Ashbrow	James Homewood, Amanda Pinnock & Harpreet Uppal (L)	1.29	Not allocated	HD1 6LG		7
Land East of Thewlis Lane, Crosland Hill, Huddersfield	Crosland Moor & Netherton	Erin Hill, Manisha Roma Kaushik & Mohammad Sarwar (L)	14.11	Unallocated/Provisional Open Land	HD4 7FL		8

## HOUSING DELIVERY PLAN - SUMMARY OF COUNCILLOR COMMENTS RECEIVED

### APPENDIX 3 TO CABINET REPORT

#### Background

In June, Ward councillors were advised that a report on the Housing Delivery Plan was being prepared for consideration by Cabinet in August and were provided with information about council owned sites in their wards that were to be included in the Cabinet report. Their feedback was sought.

#### **Almondbury Ward**

##### Cllr Judith Hughes (LAB) - H1679 - Fenay Lane Almondbury

- Feels there is a need for extra care and new housing in the area especially affordable & social housing.

##### Cllr Alison Munro (LIB DEM) - H1679 - Fenay Lane Almondbury

- As part of the site is a BAP priority wildlife habitat network, Cllr Munro cannot agree to the entire site being developed if this will result in the destruction of the wildlife habitat
- A public right of way crosses the site which should be maintained
- Most of the site is on a hill and unsuitable for older people in an extra care scheme
- No houses should be built until there are sufficient places at local schools, Dr's surgeries and dental practices.
- The Penistone Rd corridor will be overwhelmed with traffic, leading to even more queuing at nearby junctions and increases in traffic pollution and related health issues.
- Requested clarification on the process regarding pre-applications - will there be a meeting (and if so when) where residents represented by their ward councillors and councillors who previously raised objections to development can voice their concerns to the site.
- Asked to see report that's going to Cabinet and if she could make a written representation
- Requested various information on the pre-app process and asked that she be invited to the pre-application meeting and asked if residents can be informed.

##### Cllr Bernard McGuin (CON) - H1679 - Fenay Lane Almondbury

Raised various objections:

- The area has wildlife that has to be identified and protected
- Existing traffic problems in the area mean it would be hard to identify an access to the area which would not further exacerbate the situation
- The area has drainage problems and any work could make matters worse
- The nature of the site would make it difficult to put in an extra care scheme

Feels developers always claim that affordable houses or extra care facilities are expensive and will eat into their profits so has doubts that the number of homes envisaged will actually be built. If building does eventually arise, he would expect strict controls and conditions to be put on the developers.

#### **Ashbrow Ward**

##### Cllr James Homewood (LAB) & Cllr Harpret Uppal (LAB) - All 5 sites in Ashbrow Ward

- Cllr Homewood requested clarification on timescales for development
- H1747 - Land north of Bradley Road - councillors are concerned about this site as parts of it are currently used as a golf course and how it will be ensured that any land sold will be developed in line with site master-planning. Also a need to address the type of housing built (e.g. social and affordable housing). Feel it is imperative that the golf course remains a functioning 18 hole course as long as possible. Cllr Uppal also commented that infrastructure needs to be in place to support the homes and air quality and public transport considerations need to be taken into account.

### **Batley East Ward**

Cllr Habiban Zaman (LAB) and Cllr Mahmood Akhtar(LAB) - H758 Land off Soothill Lane & H1938

#### Wards Hill Batley

- Requested a briefing and met Naz Parkar and Joe Tingle in Batley Town Hall Thurs 28<sup>th</sup> June.
- Soothill Lane site - Supported development and felt there is a need for 4/5 bed homes. Didn't see the site being suitable for an extra care scheme due to its location and topography. Main concern was the impact on the highways and highway safety.
- Wards Hill - In favour of the development of this site. Would like to see a small supported living scheme there.

### **Batley West Ward**

Cllr Gwen Lowe (LAB & COOP) - H1696 and H1702 - Land adjacent to Mayman Lane, Batley

- Pointed out that Mayman Lane is in Batley and not Mount Pleasant Batley.

### **Birstall & Birkenshaw Ward**

Cllr Robert Light (CON) & Cllr Mark Thompson (CON) and Cllr Elizabeth Smaje (CON) - H761 Raikes Lane, Birstall

- All Birstall & Birkenshaw councillors do not support development or disposal of this land as it is open space in the centre of Birstall and is an important part of the conservation area. They feel it should be retained as such.
- Cllr Smaje commented that Raikes Lane is narrow and could not cope with the extra traffic that would result from the development. It is also partly cobbled and is blocked halfway down therefore this could put more traffic through the Fieldhead estate. Also the land is on a hill and higher than existing properties on the Wesley Close/North Terrace side.
- Cllr Smaje commented with regard to the proposed sale of a second piece of land on Raikes Lane, opposite the larger land area designated for housing. I do think that they should have been on the same cabinet report so that it is clear that the council is proposing two sales of land in close proximity to one another. My comments are similar to those sent in for the report for the larger piece of land proposed to be sold by the council. The cumulative effect of both need to be considered. The land sits within the Birstall Conservation Area and forms part of the green open space. It sits next to a site with a Grade II listed building on, together with curtilage buildings, and sits directly on the junction of the cobbled Mount and Raikes Lane. If the council sells this land what guarantees do we have that it will remain green space, what protections can be put in place. If the answer is none then this land should remain in council ownership. Green space in Birstall is slowly being eroded by the selling of land by the council in this important conservation area.

### **Colne Valley Ward**

Cllr Rob Walker (LAB) - 3 Colne Valley Sites

- Requested briefing and met Naz Parkar and Alan Seaman on Monday 2nd July.
- Woods Avenue, Marsden - happy that affordable homes are to be delivered on the site - has concerns about house prices in the local area. Mentioned a desire line crossing the site.
- Gordon Street, Slaithwaite - Felt access to the site could be an issue. There are some old garages across from the site - perhaps they could be removed to facilitate site access.
- Upper Clough, Linthwaite - Likely to be contentious as the site is currently a pleasant open space. Accepts principle of development but has concerns about the nature, design, quality and mix of the new homes. Raised an issue about the lack of parking for the terrace opposite resulting in cars parking in an area marked out as pedestrian footway which is dangerous. The development of the site may therefore need to include highway improvements.

### **Dewsbury East Ward**

Cllr Eric Firth (LAB) & Cllr Cathy Scott (LAB) - H1937 Cliffe Street, Dewsbury

- Cllr Firth enquired as to where the displaced cars that use Cliffe St car park will go and where the market traders will Park.

- Cllr Scott requested information on who has been consulted about the proposals and what percentage of the site will be given up for Housing.

### **Dewsbury South Ward**

Cllr Masood Ahmed (LAB) - H1754 Smithy Parade, Thornhill

- Enquired as to if the pylon, grazing tenancy and encroachment on this site will affect the development of the site for housing.

### **Dewsbury West Ward**

Cllr Darren O'Donovan (LAB) - H1660 Land east of Heckmondwike Road, Dewsbury Moor.

- Recommends disposing of site 1 (now removed from programme) first and the land on Heckmondwike Road later so that residents do not have highways works all at once which could cause chaos.

### **Golcar Ward**

Cllr Hilary Richards (LAB) - H780 Land to East of Main Avenue, Cowlersley

- Supports development of the site especially if there is to be a decent proportion of affordable housing and as long as carefully written, positive, conditions are written into the contract of sale for this land. The area has been used for drug dealing purposes for many years so hopes development will disrupt this and move the problem on.

### **Lindley Ward**

Cllr Cahal Burke (LIB DEM) & Cllr Richard Eastwood (LIB DEM) - H790 Land east of Fern Lea Road

- Object to the proposal - feel housing development would have a negative impact on the recreation ground and the ability of the community to provide community events. Also access to the site is very limited and includes a path and space that is used by residents.
- Feel Lindley is being developed too fast without thought to schooling, doctors etc.
- Feel best option would be an asset transfer over to a local community group so that it can be kept as a Community asset and open space for everyone to enjoy and use.

### **Liversedge & Gomersal Ward**

Cllr David Hall (CON) - All 3 sites in Liversedge & Gomersal Ward

- H2667 Former Gomersal Primary School - keen that the frontage of the school is preserved. Feels the front bays would make fine starter-business units, with possible community space behind/underneath.
- H198 Former R M Grylls School: There is a memorial garden on this site which should be treated with respect. Not clear where access would be taken for this site.
- Land Adjacent to Mowat Court: Feels this land would be best-suited to older-people's accommodation similar to that at Mowat Court

### **Mirfield Ward**

Cllr Martyn Bolt (CON) - All 4 sites in Mirfield

- Enquired if Mirfield town council will be consulted on the report and if it is a public document he can share with them and residents
- Enquired as to what has happened to Cabinets agreement to look into the Flash lane site for extra care housing and what specialist housing at the former depot site, St Paul's Street means. Also wanted to know what type of comments will be considered - presumably not planning.

Cllr Vivien Lees-Hamilton (CON) - Kitson Hill Crescent and H794 Flash Lane, Mirfield

- Kitson Hill site - doesn't like housing being built under pylons - doesn't feel it's healthy
- Flash Lane site - understands there has been some discussion about this site being used for a retirement community

## **Newsome Ward**

### Clr Andrew Cooper (GREEN) - Various sites in Newsome Ward

- H101 & H1811 - Strongly opposes the building of housing on the Jackroyd Lane and Bluebell Hill sites as they have a high amenity value
- Feels H1731a Orchard Terrace site has poor access and may not be suitable for development.

## Appendix 4 Options Assessment

<b>Delivery Model</b>	<b>Description</b>	<b>Advantages</b>	<b>Disadvantages</b>
Investment Vehicle	<p>Operate a business for the purpose of public cooperation in delivering shared requirements for increased quality housing provision within the Kirklees district and will incorporate the LLP for this purpose under the Limited Liability Partnerships Act 2000.</p> <p>The business will be on sound commercial, profit making principles so as to make profits available for distribution whilst maintaining agreed quality standards and levels of affordable housing provision (20% in line with Kirklees Planning policy).</p> <p>All assets held or created by the LLP shall be owned by the LLP and not by the Members</p>	<p>Utilises the expertise of an existing vehicle e.g. Bridge Homes or the Leeds City Region HA JV</p> <p>Allows for sharing of risk</p> <p>Council shares in capital growth</p> <p>Takes 6-9 months to achieve start on site</p> <p>Some control over quality and build rates</p> <p>Delivers policy position on affordable housing</p>	<p>Requires council borrowing</p> <p>Potential for time delays in establishing the LLP</p> <p>Decisions made by the LLP Board in the interests of the LLP</p>
Corporate JV	<p>Council and partner agree to establish a JV Company for the sole purpose of developing housing</p> <p>Council invests alongside partners on a shared basis with risk and reward levels being</p>	<p>Partner brings expertise and capacity.</p> <p>Funding working capital is shared</p> <p>Council has a degree of control over build rates and quality</p>	<p>Council needs to raise its share of debt finance</p> <p>Council carries a share of the risk for sales and lettings</p> <p>Vests all council land in one partner</p>

	<p>proportionate to levels of investment</p>	<p>Council shares in capital growth</p>	<p>Potential for delays in establishing JVCo</p> <p>Takes approximately 30 months to get a start on site</p> <p>Expensive for both tenderers and the council</p> <p>Resource hungry</p>
<p>Local Housing Company (wholly owned)</p>	<p>Council establishes a wholly owned company</p> <p>Council either directly invests in the development or acquires existing housing. Fully funded by the council likely via PWLB.</p>	<p>Asset is owned by the council and therefore benefits from both capital growth and 100% of the revenue.</p> <p>Council has full control over specification, mix, quality and build rates</p>	<p>Council raises all the debt</p> <p>Design, development, sales and letting risk sits with the council.</p> <p>Does not benefit from partner capacity and capability</p> <p>Cost and time taken to establish the LHC</p> <p>Locks all council-owned sites in one vehicle</p> <p>Resource hungry and needs the council to build in house development, construction and sales expertise and capability</p>
<p>Land Partnership</p>	<p>Council seeks expressions of interest via existing frameworks/panels for sale of land to deliver housing</p>	<p>Uses partner expertise and capacity</p> <p>Purchaser invests in and secures planning consent at risk</p>	<p>Control is limited to what can be achieved through planning policy other than what the partner places on itself as positive obligation</p>

	<p>Council enters into a development agreement for sale with no positive obligations other than those the purchaser places on themselves</p>	<p>Accelerates delivery - takes 6-9 months to achieve start on site</p> <p>Secures a receipt at market value subject to planning</p> <p>Builds strategic relationships</p> <p>Introduces a mix of products and partners</p> <p>Keeps the council open for business</p>	
OJEU	<p>Formal OJEU tender seeking a partner</p>	<p>Council has full control over the nature of the development</p> <p>Secures a receipt at market value</p>	<p>Complicated and bureaucratic process which the market has little appetite for</p> <p>Takes 27 months to start on site</p> <p>Expensive for both tenderers and the council</p> <p>Resource hungry</p>
Existing Frameworks e.g. YorTender, DPP3, North Yorkshire Framework	<p>Council call for expressions of interest from framework partners, invites formal tenders from a shortlist and enters into a Development Agreement for the works. Eg Ashbrow which used the DPP</p>	<p>Council has greater control over the nature of the development</p> <p>Secures a receipt at market value</p> <p>If combined with Land partnership model secures a start on site within 6-9 months</p>	<p>Takes 27 months to start on site (although Ashbrow has taken longer)</p>



