

To: PLANNING AND ENVIRONMENT COMMITTEE		Subject: USE OF COMPULSORY PURCHASE POWERS IN RELATION TO THE RAVENS CRAIG REDEVELOPMENT AND ASSOCIATED ROAD IMPROVEMENTS
From: DIRECTOR OF PLANNING AND ENVIRONMENT		
Date: 31 January 2007	Ref: WLS/MM	

1. Purpose of Report

- 1.1 The purpose of this report is to advise the Committee of discussions between Council officials and Ravenscraig Limited regarding the use of Compulsory Purchase powers to acquire land required in association with the proposed redevelopment of the Ravenscraig site, and the road improvements associated with that development, and to gain the Committee's agreement in principle to the use of CPO powers in relation to the Ravenscraig development.

2. Background

- 2.1 The Planning and Environment Committee agreed to grant outline planning permission for the redevelopment of the former Ravenscraig Steelworks site in April 2003, subject to the conclusion of a Section 75 Planning Agreement. The application was referred to the Scottish Ministers, but they decided not to call it in for determination, and allowed the Council to determine it as it sees fit. The Section 75 Agreement has since been signed and recorded, and the decision issued on 11 May 2005.
- 2.2 The Committee also agreed, in November 2003, to grant outline planning permission to two road improvement schemes associated with the Ravenscraig redevelopment. One involved the construction of a new signalised gyratory system at the junction of Hamilton Road and Airbles Road, and the upgrading of the remaining part of Airbles Road to dual carriageway. The other road improvement proposal involved the upgrading to dual carriageway of the A723 Holytown Link Road between Carfin and the A8. Both of these applications were also referred to the Scottish Ministers, who did not call them in and the decisions were issued in December 2003. Applications to renew these outline consents, which would otherwise have expired in December 2006, have been submitted.
- 2.3 The Council has powers under Section 189 of the Town and Country Planning (Scotland) Act 1997 to acquire land which is suitable for and is required in order to secure the carrying out of development, redevelopment or improvement. In considering whether land is suitable for development or redevelopment, the Authority shall have regard to the provisions of the development plan, whether planning permission for any development on the land is in force, and any other material considerations. These powers of compulsory purchase do not relate only to developments to be carried out by the Council, but may be used to facilitate a development by other parties.

3. Sustainability Implications

- 3.1 The use of Compulsory Purchase powers to facilitate the redevelopment of the Ravenscraig site would help a large, contaminated former industrial site to be re-used,

reducing pressure for development on greenfield sites and would therefore contribute towards the Council's sustainable development objectives.

4. Proposals/Considerations

4.1 Ravenscraig Limited have indicated that they have carried out investigations of the ownership of land required to take forward their proposals, and will be continuing to negotiate acquisition. However, it is recognised that in certain cases (for example, where land is in multiple ownership, or where a negotiated settlement cannot be achieved) it may not be possible for them to acquire the land using normal channel and still maintain on programme. They therefore wish to explore the possibility of the Council using its powers of compulsory purchase in order to assist in the acquisition of

- (a) land required to provide a new access into Ravenscraig, from the eastern end of Airbles Road (at the Civic Centre) under the West Coast Main Line Railway
- (b) land required for the widening of the current single carriageway length of Airbles Road, and the improvement of the Airbles Road/Hamilton Road junction, and
- (c) access under the Wishaw Deviation Railway Line.

4.2 In addition to the road works noted in the previous paragraph, which will be the responsibility of the developers, a STAG 2 Appraisal of access options to the site is currently being carried out for the Council, which may result in the A723 Holytown-Carfin Link Road being upgraded to dual carriageway. If this were to go ahead, additional land (some of which is in multiple ownership) would have to be acquired by the Council.

4.3 In terms of Section 189 of the Town and Country Planning (Scotland) Act 1997, the Council has power to acquire compulsorily any land in their area which is suitable for and is required in order to secure the carrying out of development, redevelopment or improvement. In considering the suitability of the land for development, the Council must have regard to

- (a) the provisions of the development plan, so far as material,
- (b) whether planning permission for any development on the land is in force
- (c) any other considerations which would be material for the purpose of determining an application for planning permission for development on the land.

4.4 The extent to which Compulsory Purchase Orders may be required has not yet been resolved. However, it is the intention of this report to establish the principle of the Council using its CPO powers, and further reports would be presented to the Committee in due course to seek approval of the details associated with any such action.

5. Corporate Considerations

5.1 The proposed Compulsory Purchase Order(s) will involve staff from the Planning and Environment, Administration and Housing and Property Departments. Ravenscraig Limited will be required to indemnify the Council in relation to all costs arising from the process involving land which they required to be compulsorily acquired (including staff time, advertising and acquisition costs). Ravenscraig Limited's agreement to this will be confirmed prior to any action being initiated by the Council in respect of any Compulsory Purchase Orders.

5.2 Staff time and costs associated with any work to acquire land required to upgrade the A723 would be the responsibility of the Council. At present, there is some funding available under the Cities Growth Fund and it is expected that, if that project is chosen by the STAG 2 Appraisal, the Council will seek further financial assistance from Transport Scotland. Should the use of Compulsory Purchase powers be required, the further report to

Committee, seeking authority for the specific CPO, will identify the particular budgetary implications for the Council, and the funding arrangements proposed.

6. Recommendations

- 6.1 That the Committee agrees in principle to the use of Compulsory Purchase Powers to facilitate access improvements to, and road improvements associated with, the redevelopment of the former Ravenscraig Steelworks. A further report will be presented to the Committee seeking approval for the detail of any such Compulsory Purchase Orders.
- 6.2 That the Committee notes that Ravenscraig Limited will be required to indemnify the Council in respect of all costs arising from any Compulsory Purchase Orders necessary to acquire land required for their purposes.



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(10 January 2007)

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