

Cabinet – 19 July 2023

Willenhall Framework Plan:

Phase 1 Moat Street and Villiers Street project update and strategic land acquisition (use of the Council's Compulsory Purchase Powers)

Portfolio: Councillor Andrew, Regeneration

Related portfolios: N/A

Service: Regeneration, Housing and Economy

Wards: Willenhall South

Key decision: Yes

Forward plan: Yes

1. Aim

- 1.1 The Willenhall Framework Plan sets out a 10-year vision for Willenhall and provides an ambition to promote housing growth and healthy, prosperous communities. The Moat Street and Villiers Street scheme is Phase 1 of the Willenhall Framework Plan and aims to stimulate the regeneration of Willenhall by delivering much needed new homes whilst also promoting place making.

2. Summary

- 2.1 Willenhall has been identified by the Council as an area for strategic intervention with Cabinet previously agreeing to support a targeted programme of activity to regenerate the area. Since then work has continued to explore and promote opportunities for growth and investment. The planned opening of the new railway station and promotion of the Walsall Growth Corridor as a priority for housing delivery and sustainable growth provides a real opportunity to promote Willenhall as a place where people aspire to live, work, and spend leisure time.
- 2.2 Furthermore, the Council has successfully secured external funding from the Government's Levelling Up Fund Round 2 (LUF2) and the West Midland Combined Authority's Land and Property Investment Fund (LPIF) to help support intervention in Willenhall.
- 2.3 At its meeting on 9 February 2022, Cabinet agreed to:
- Support the Willenhall Framework Plan, a 10-year vision for housing growth and place making in the area that identifies Moat Street and Villiers Street as a Phase 1 opportunity for residential-led development that also includes new open space and highway improvements. Importantly, the proposed redevelopment of the site will contribute to the wellbeing of the area by

removing derelict and under-utilised land and property and provide much needed high quality and affordable new homes in a sustainable location.

- Approve the use of compulsory purchase powers in-principle for Phase 1 where land could not be acquired by agreement within a reasonable timeframe, noting that approval to make any compulsory purchase order (CPO) to facilitate land assembly to deliver Phase 1 (“Order”) would be subject to a future Cabinet report.
- Approve the outline business case for Phase 1 and the associated budget to support land assembly.
- Approve further work to identify a preferred development partner procurement route noting that approval of the procurement approach would be subject to a future Cabinet report.
- Approve further work to develop the Willenhall Framework Plan into a Supplementary Planning Document noting that adoption of any Supplementary Planning Document would be subject to a future Cabinet report.

2.4 Work continues to progress the development of Phase 1, with significant progress being made to bring the site forward for development. This report:

- Provides an update on the Phase 1 workstreams (the boundary for Phase 1 is included as **Appendix A**).
- Provides details about Government legislation and guidance that governs the compulsory purchase process and the Council’s progress in meeting the requirements and statutory tests.
- Seeks a formal resolution from Cabinet to make the Order.

2.5 The report also includes in the Appendices further relevant information to enable Cabinet to make an informed decision. This includes the draft Order and Schedule (**Appendix B**), draft Order Map (**Appendix C**) and draft Statement of Reasons (**Appendix D**).

2.6 **Appendix B** (the draft Order) sets out the purposes for making the Order and the Order Schedule sets out the property interests that will be subject to the Order including those that need to be acquired and those who may have rights affected by the scheme. **Appendix C** (the Order Map) illustrates the location of these property interests. The Order Map includes land in the Council’s ownership as this is considered best practice. However, the draft Order (**Appendix B**) sets out that the CPO will include all interests except those owned by the acquiring authority. **Appendix D** (the draft Statement of Reasons) sets out the reasoning and rationale for why the Council is bringing forward its scheme and why it is appropriate to use its compulsory purchase powers. The Equality Impact Assessment (EqIA) is also attached as **Appendix E**. Cabinet should note that these documents will be reviewed and amended throughout the process and delegated authority to update and approve the necessary amendments is sought in Paragraph 3.3.

2.7 This report requires a key decision as the recommendations require significant expenditure by the Council (in excess of £500,000).

3. Recommendations

- 3.1 That Cabinet note the progress made to develop the Phase 1 scheme.
- 3.2 That Cabinet authorise use of the compulsory purchase powers conferred on the Council by section 226(1)(a) of the Town and Country Planning Act 1990 to acquire land and rights within the areas shown on the plan at **Appendix C** ("Order Land") necessary to deliver the Moat Street and Villiers Street scheme.
- 3.3 That Cabinet authorise the Executive Director for Resources and Transformation, in consultation with the Portfolio Holder for Regeneration to effect the making, confirmation, and implementation of the Order and to take all necessary steps to give effect to the Order in respect of the Order Land including, but not limited to, the following procedural steps:
 - I. finalise the Statement of Reasons setting out the Council's reasons for making the Order and how this accords with Government Guidance on CPO;
 - II. making the CPO, the publication and service of any press, site and individual notices and other correspondence for such making;
 - III. acquire all interests within the Order Land as may be necessary to facilitate the scheme, either by agreement or compulsorily, including entering into negotiations with any third parties for the acquisition of their land interests;
 - IV. the payment of compensation and dealing with any blight notices served in connection with the CPO;
 - V. approve agreements with landowners or statutory undertakers as applicable, setting out the terms for withdrawal of any objections to the CPO, including where appropriate seeking exclusion of land from the CPO;
 - VI. make any necessary additions, deletions, or amendments to the Order Land and to seek any requisite modifications to the CPO and any Order maps (as may be considered necessary);
 - VII. the preparation and presentation of the Council's case at any Public Inquiry which may be necessary;
 - VIII. seek confirmation of the Order by the Secretary of State (or, if permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act 1981) (the 1981 Act);
 - IX. in the event the order is confirmed, publication and service of notices of confirmation of the Order and thereafter to execute and serve any general vesting declarations and/or notices to treat and notices of entry, and any other notices or correspondence to acquire those interests within the area;
 - X. including, if required, High Court Enforcement Officer notices; and
 - XI. all steps in any legal proceedings related to the Order including referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber) and/or the courts and any appeals.

- 3.4 That Cabinet note that reasonable attempts will continue to be made to acquire the various land interests of owners, occupiers, or others with a legal interest in any site by agreement throughout the process.
- 3.5 That Cabinet note that it is no longer proposed to develop the Willenhall Framework Plan into a Supplementary Planning Document.
- 3.6 That Cabinet note the amendments to the boundary for Phase 1 (Moat Street and Villiers Street) for the purpose of land assembly and planning.
- 3.7 That Cabinet notes the Equalities Impact Assessment (EqIA) that has been prepared which is included as **Appendix E** and that this document will be reviewed and updated as necessary.

4. Report detail

Context

4.1 Willenhall Framework Plan: Phase 1 update

At its meeting in February 2022, Cabinet supported the Willenhall Framework Plan (WFP) that sets out a 10-year vision for housing growth and place making in the area. The Framework Plan identified the area around Moat Street and Villiers Street as a Phase 1 opportunity for residential-led development. The development and delivery of Phase 1 includes a number of key workstreams and an update on these workstreams is provided below. Furthermore, a Willenhall Project Board that oversees the delivery of the WFP and in particular Phase 1 has also been established and is chaired by the Director for Regeneration and Economy.

4.2 Supplementary Planning Document

At the meeting in February 2022 Cabinet agreed to undertake further work to develop the WFP into a Supplementary Planning Document (SPD) noting that adoption of an SPD would be subject to a future Cabinet report. It was considered at the time that an SPD would support the interventions set out in the WFP through planning policy. Whilst the development plan allocates sites, it was anticipated that the SPD would explain how the Council would apply its planning policies in respect of particular sites and how it would work with others to bring the identified sites forward. It was also considered that an SPD could provide additional support for the use of compulsory purchase powers by setting out more detailed guidance to deliver the aspirations of the WFP.

- 4.3 Since February 2022 the Local Planning Regulations under which any SPD would be prepared have been reviewed and it has been concluded that the regulations do not allow an SPD to allocate sites for development as only a development plan document can do this. There is confidence that the existing policies in the Black Country Core Strategy, the Walsall Site Allocation Document, and the saved policies of the Walsall Unitary Development Plan, supported by recent evidence of housing need prepared for the Black Country Plan, are sufficient to support the CPO. The opportunity for the future development of Willenhall, as set out in the WFP, to be supported through the

development of the Walsall Local Plan will also be considered. Further information on how the proposed scheme aligns with the development plan and the National Planning Policy Framework (NPPF) is provided in the Statement of Reasons at **Appendix D** (section 6).

4.4 Planning application

Cabinet will recall that work has been ongoing to develop an outline planning application for Phase 1. An outline planning application with all matters reserved other than access and layout was submitted to the Local Planning Authority (LPA) on 22 March 2023 following pre-application advice via the Development Team process. The planning application seeks permission for the following:

“Outline planning application for the demolition of existing structures on land at Moat Street, Temple Bar, Cemetery Road, Villiers Street and New Hall Street, Willenhall and the development of up to 48 apartments and 58 houses, associated junction improvements and car parking, the creation of new areas of Public Open Space and all associated ancillary works (access and layout to be considered)” (ref: 23/0338)

The pre-application advice was considered to be essential in ensuring that the Council submitted a robust planning application. At the time of writing the planning application is being considered by the LPA, with a target determination date in September 2023.

4.5 Developer partner procurement

Cabinet at its meeting in December 2022 noted and approved the preferred developer partner procurement route following consideration of the due diligence completed. Cabinet also authorised commencement of the procurement of a developer partner for Willenhall Garden City: Moat Street and Villiers Street (Phase 1) via the Homes England Dynamic Purchasing System (DPS) noting that the appointment of the successful bidder will be the subject of a future Cabinet decision.

4.6 The Council has already commenced the procurement process and has received a positive response from the market. Bidders are due to submit their final bids in August 2023. Following an evaluation process, a report will be presented to Cabinet to seek approval to appoint the development partner in October 2023.

4.7 Land assembly

Since the initial approval by Cabinet in February 2021 to commence negotiations with the landowners/ occupiers of land interests within Phase 1, negotiations commenced in March 2021 and are ongoing. An update on negotiations was provided to Cabinet in February 2022 and again in December 2022. The report in December 2022 informed Cabinet that negotiations to acquire the necessary land parcels via private treaty were continuing in line with the in-principle approval to the use of the Council's compulsory purchase powers agreed in February 2022. These negotiations are being led by the Council's appointed Property Consultants, Avison Young (AY), who have been able to make contact and are in active negotiations with all but one of the

landowners. Whilst negotiations are progressing, no freehold acquisitions have been made to date. A review of progress has concluded that to ensure that land assembly is concluded in a timely manner, a formal Order resolution is now required. Further details about the negotiations that have taken place to date, and which will continue alongside the making of the Order, are provided in Paragraph 4.17 to Paragraph 4.23. Further detail is also set out in section 8 of the Statement of Reasons (**Appendix D**).

4.8 The Council has also appointed land referencing agents, Land Referencing Services LLP, to carry out a land referencing exercise to identify all owners, tenants and occupiers and others with a legal interest in the Moat Street/Villiers Street site (Phase 1) and which should be included in the Order and/or become eligible for compensation. The land referencing work informs the Order Schedule and Order Map and has included reviews of desk top Council records, HM Land Registry information and a site visit. The Council has also issued requests for information from those appearing to have an interest in the land to be compulsorily acquired under section 5A of the Acquisition of Land Act 1981 and/or section 16 of the Local Government (Miscellaneous Provisions) Act 1976. The responses to those requests for information have been utilised in the drafting of the Order Schedule and the accompanying Order Map.

4.9 In February 2022 Cabinet delegated authority to the Executive Director for Resources and Transformation, in consultation with the Portfolio Holder for Regeneration, to amend the boundary for Phase 1 following further title investigations. Since this time, further information has been obtained through landowner/ occupier engagement and pre-application guidance from the LPA. This further work has informed the proposed boundary for Phase 1. As a result of this further work, the site of the Liberal Club/ Bowling Green / No. 129 Villiers Street including the current 'back land' storage areas has been excluded from the Phase 1 site boundary and is not included in the scheme. The Liberal Club and Bowling Green provide important community facilities and acquisition of No 129 Villiers Street was only considered as part of a wider site development, not in isolation. This amendment has been approved by the Executive Director for Resources. Further due diligence has also highlighted that the Council owned car park on Newhall Street is not surplus to requirement. This land parcel has also been removed from the Phase 1 boundary. The amended boundary is included as **Appendix A**.

4.10 Funding position

Cabinet at its meeting in December 2022 was informed that Phase 1 had been included within the Council's Levelling Up Fund bid to Government under round two (LUF2) and that a full business case had also been submitted to the Black Country LEP for the Land and Property Investment Fund (LPIF). Since the December cabinet report, the Council has successfully secured external funding from both sources and therefore the financial resources required to acquire the necessary land parcels are in place (based on Property Cost Estimates for land and property acquisitions under a CPO). The financial resources in place will also fund the enabling works associated with the delivery of Phase 1 (this is based on the latest cost estimate). Both external funding sources require the Council to spend the funds by 31 March 2025. Cabinet was informed of the

overall costs and budget requirements (estimated) for Phase 1 in December 2022 as part of the private report that was also considered. There are no significant updates to the cost estimates. The costs associated with the construction of the new homes will be borne by the appointed developer partner.

4.11 Making of the Order

At its meeting in February 2022, Cabinet approved the use of compulsory purchase powers in-principle for the Moat Street/Villiers Street site (Phase 1) where land cannot be acquired by agreement within a reasonable timeframe, noting that approval to make any CPO would be subject to a future cabinet report. Since the report to Cabinet in February 2022, the Council has been in proactive negotiations with the landowners within the boundary of Phase 1 (noting that the ongoing negotiations commenced in March 2021). This report updates Cabinet on progress made to date; and also sets out the case and need for making the Order.

4.12 Various public bodies, including Local Authorities, have a range of powers to compulsorily acquire land. As a local authority, subject to confirmation by the Secretary of State, the Council have power to compulsorily acquire land in private ownership if the Council think that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to land in their area. The Council cannot exercise the power to acquire land compulsorily unless they think that the development, redevelopment or improvement is likely to contribute to any one or more of the objects of promoting or improving the economic well-being, or social well-being, or environmental well-being of their area. A compulsory purchase order will not be confirmed unless there is a “compelling case in the public interest.” The legal test for the use of compulsory purchase powers is set high: there must be a clear case in the public interest, the site must be developable and deliverable, there must be a clear scheme for the redevelopment or regeneration of the area and funding in place; and the making of a compulsory purchase order must always be done as a last resort. The Secretary of State will expect the Council to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the Order by agreement, prior to the making of the Order. This is important because the acquisition of land compulsorily is an interference with Human Rights. Government Guidance on CPOs does advise, however, that it is not necessary to wait for negotiations to break down before commencing the compulsory purchase process as valuable time will be lost. It also acknowledges that it is sensible to plan a compulsory purchase timetable and initiate formal compulsory purchase procedures before negotiations break down.

4.13 The compulsory purchase process has a number of stages. The Council does not become the owner of the land until the Secretary of State confirms the CPO, and the Council elects to take possession of the land by serving notices to treat or executing a general vesting declaration. The stages are thus:

- (i) Ascertain the case for making a compulsory purchase order.
- (ii) Seek and obtain Cabinet authority.
- (iii) Make the compulsory purchase order (including all statutory publications and consultations).

- (iv) Submit the CPO for confirmation.
- (v) Deal with objections / proceed to Public Inquiry.
- (vi) Secretary of State confirms the Order in part or in full or declines to confirm the Order.
- (vii) If not confirmed, there is no power to compulsorily acquire.
- (viii) If confirmed, the Council can elect to rely on the order and the land will vest in the Council following service of notices to treat and entry, or following the execution of a general vesting declaration.
- (ix) Valuers proceed to negotiate compensation.
- (x) If not agreed, the question of compensation can be resolved by making a reference to the Upper Tribunal (Lands Chamber).

4.14 Compulsory purchase can be a lengthy process and it can take approximately 18 to 24 months to obtain vacant possession of a site through the use of compulsory purchase powers. Compensation claims may however continue after the Council has taken vacant possession of the site and if agreement cannot be reached the matter can be referred to the Upper Tribunal. It is important to note that negotiations to acquire the necessary land parcels should continue throughout the process.

4.15 The case for making the Order

In order to consider whether the Council should utilise its compulsory purchase powers now (further details of the powers available to the Council are set out in the Legal implications section) to acquire the necessary land parcels (including any unregistered land) to enable the development of Phase 1 for housing, it is important to consider and follow the Department for Levelling Up, Housing and Communities (DLUHC) "Guidance on Compulsory purchase process and The Crichel Down Rules" (July 2019). This is referred to as the Guidance (Guidance/CPO Guidance).

4.16 The Guidance sets out the criteria that will be considered by the Secretary of State prior to confirming any compulsory purchase order. This includes:

- Evidence of meaningful negotiations to acquire the required third-party property interests (Paragraphs 2, 3, 17 and 19).
- A developable and deliverable scheme that is not blocked by any impediments e.g. planning permission is in place or planning permission is likely to be granted, viability and funding have been considered including the availability of financial resources to enable the acquisition of the required land and delivery of the scheme are key to satisfying the deliverability test (Paragraphs 13, 14, 15, 105 and 106).
- The scheme that underpins the making of the Order is set within a clear strategic planning framework (Paragraphs 104 and 106).
- The wellbeing benefits of the proposed scheme (Paragraph 106).
- Consideration of alternative proposals to the proposed development (Paragraph 106).
- Consideration of human rights (Paragraph 2) and equalities implications (Paragraph 6).

The report will now consider these in detail. Further information is also available within the draft Statement of Reasons which is included as **Appendix D** and is a non-statutory document which will be served alongside the Order.

4.17 Meaningful negotiations

The Council commenced negotiations with landowners in March 2021 and has appointed AY to represent it in negotiations with all interested parties. Since the commencement of negotiations, AY has continued to regularly communicate and negotiate with affected parties. Negotiations are on-going and will continue throughout the compulsory purchase process. At the time of writing, the Council is in negotiations with seven out of the eight known freeholders who have all to date confirmed that they can provide vacant possession. There are no registered leaseholders.

4.18 Financial offers have been made to all known landowners based on the Property Cost Estimates (PCE) provided by AY, and subsequent site inspections where owners have allowed AY to inspect their properties. As Cabinet has already agreed to the in-principle use of its compulsory purchase powers, financial offers have been made in line with the compensation code (the legislation and case law governing compensation under a CPO). Compensation in relation to the compulsory purchase process usually includes financial compensation to cover the following heads of claim:

- Value of the interest in the land taken which is usually market value.
- Disturbance/reinvestment payments for losses caused by reason of losing possession of the land and other losses not directly based on the value of land.
- Statutory loss payments for the distress and inconvenience of being required to sell and/or relocate property at a time not of the individuals choosing.
- Reimbursement of reasonable professional fees.

The PCE provided by AY includes the above costs and these are factored into any financial offers that are made.

4.19 The CPO Guidance at Paragraph 3 states that “In order to reach early settlements public sector organisations should make reasonable initial offers and be prepared to engage constructively with claimants about relocation issues and mitigation and accommodation works where relevant.” It is recognised that early settlement may avoid additional costs and delays such as legal costs associated with dealing with individual objectors. Furthermore, dialogue with those affected can help build a positive relationship and also assist with information dissemination so that any misconceptions can be avoided. Constructive dialogue with landowners can also assist the Council in understanding any issues it may need to be aware of and also any measures it can take to reduce the impact of the proposed scheme on the affected parties.

4.20 There is confidence that the financial offers made to date are reasonable and in accordance with the Compensation Code as they are based on advice from AY who have significant experience of such matters. The Council is also keeping under review and may amend financial offers throughout the negotiation

process based on further information it or the private parties can evidence. However, despite the reasonable offers being made in line with the Compensation Code, the Council has not acquired any of the necessary land parcels. All financial offers made will be kept under review to ensure that the Council is being reasonable and flexible in the offers it is making, reviewing offers when there is further information or evidence provided to the Council.

- 4.21 To assist affected businesses within Phase 1, Cabinet will be aware that a Business Charter has been developed which sets out the support the Council can provide to businesses. Cabinet endorsed the draft Business Charter in February 2022 and also noted that it would be further developed through dialogue with affected businesses and as the scheme progresses. As such the Business Charter is kept under review and since Cabinet's endorsement it has been updated following dialogue with businesses. The Council's Employment (Sectors) Growth Manager is a named contact in the document and is proactively engaging with businesses to understand business requirements and where possible offer support. The Business Charter has been shared with the affected businesses and will continue to be kept under review and updated as necessary.
- 4.22 The Guidance at Paragraph 19 recognises that compulsory purchase proposals are likely to result in uncertainty and anxiety and therefore additional support to simplify the process as much as possible is encouraged. Steps set out in the guidance include: providing detailed information from the outset that includes details about the compulsory purchase process, an indicative timetable, providing clarity about the compensation that can be paid, offering advice and guidance on relocation options, a not before date to provide some certainty as to when ownership will be required and providing a case manager who can be easily contacted to provide further information and address any concerns raised (where possible). To ensure that affected parties have the information they need, the Council has developed a set of Frequently Asked Questions (FAQs) that are available on the Council's website and are also shared with the parties when important communication about the scheme is being provided. As an example, a letter informing landowners about the submission of the outline planning application was sent to all known parties together with a copy of the FAQs and the Business Charter.
- 4.23 Following a review of the negotiations undertaken to date, a meeting of the Willenhall Project Board concluded that the Council has made reasonable attempts to contact all interested parties, reasonable financial offers have been made to all freeholders, and is providing additional support and guidance where possible. However, agreement over land value is proving to be difficult with landowner expectations on value not being evidenced; it may therefore be difficult to agree acquisitions via private treaty. Furthermore, despite concerted effort to communicate with all landowners, the Council has to date not had contact with one of the landowners. There is also unregistered land within the boundary. It is therefore considered that a resolution to make the Order is now required by the Council to acquire the necessary land parcels in a timely manner and to ensure effective delivery of the scheme. However, Cabinet should note

that negotiations to acquire the necessary land parcels will continue throughout the process with the aim of acquiring the required land by agreement.

4.24 Developable and deliverable scheme

The CPO Guidance is clear that an acquiring authority should be able to set out how it intends to use the land it wishes to acquire and that it has the resources required to deliver its intentions. The WFP has been developed with key stakeholders and is therefore an important document that sets out the Council's aspirations for the area. In recognition of the fact that successful regeneration takes time, the WFP outlines a phased approach to delivery. The WFP aims to:

- Provide a range of high quality, energy efficient, attractive new homes providing housing choice across a full affordability range.
- Provide access to opportunities for the people of Willenhall connected to the wider region through the new Willenhall train station.
- Maximise the benefit from the economic growth and investment across the West Midlands.
- Create a healthy and high-quality living environment where residents are easily able to walk and cycle.
- Benefit from high quality, green and active public spaces and links which will better connect the Memorial Park to the town centre and the greenway to create an attractive environment for residents and visitors.
- Become a greener town, which will enhance the opportunity for family play, safe social gathering and physical activity built around a series of linked character areas and public spaces.
- Become a healthier town with a range of schools, health care and community services.

4.25 The delivery of the Phase 1 scheme is an important step in delivering the overall aims and objectives of the Willenhall Framework Plan, and importantly, to also evidence the Council's commitment and willingness to facilitate the regeneration of Willenhall. As detailed in Paragraph 4.4 the Council has, following careful consideration of the needs of the area, developed an outline planning application that is currently being considered by the LPA. The target determination date for the planning application is in September 2023. The Phase 1 scheme aims to:

- Deliver up to 106 new high quality sustainable homes, both houses and apartments, with a range of unit sizes and with access to private and communal amenity space.
- Deliver private and affordable homes with a range of different affordable housing tenures.
- Remediate up to 2.18 hectares of brownfield land.
- Regenerate a large brownfield site, redeveloping former industrial buildings identified as derelict, unsafe, or unsuitable as well as making more efficient use of land.
- Deliver a well-connected development promoting the use of sustainable transport which will reduce the dependence on car travel.
- Deliver a new vibrant residential community adjacent to the town centre, which could also provide additional footfall into the town.

- Provide new public open space to promote wellbeing and complement existing facilities.
- Improve the streetscape and the public realm, enhancing the area and its appeal to current and future residents.
- Create local economic activity - jobs during construction and social value contributions.

4.26 The Council has also completed a development appraisal that, given the location of Phase 1 and the current and historic uses, indicates that there is a viability gap due to abnormal costs associated with demolition and remediation (enabling works). However, as set out in Paragraph 4.47 the Council has secured the necessary funding from internal resources and external partners to acquire the necessary land parcels and prepare them for development. The Council is also in the process of procuring a developer partner to deliver the scheme. It is anticipated that the developer partner will be appointed by the end of 2023 and will be responsible for funding the construction of new homes and associated infrastructure. It is important to note that it is the Council's intervention that has secured the necessary resources to bring Phase 1 forward for delivery and this should also ensure the development of policy compliant affordable housing (25%). It is considered that without this intervention the market would not be able to deliver new homes due to the presence of the viability gap and fragmented landownership. The use of the Council's compulsory purchase powers is now considered to be essential to assemble the necessary land parcels to deliver the residential scheme.

4.27 The Willenhall Project Board has noted that the Council can evidence a developable and deliverable scheme subject to receiving a resolution to grant planning permission. The Guidance recognises that it may not always be possible to wait for a permission to be granted before proceeding with making a compulsory purchase order. Given the external funding constraints, the Willenhall Project Board has concluded that the scheme is sufficiently progressed to seek a resolution to make the Order and anticipates that a planning consent should be in place at the time of any Public Inquiry, should an Inquiry be necessary.

4.28 Scheme set within a clear strategic framework.
The development plan which comprises the Black Country Core Strategy, The Walsall Site Allocation Document (SAD), and the saved policies of the Walsall Unitary Development Plan provides the strategic framework for Phase 1. The development plan sits alongside the National Planning Policy Framework (NPPF, 2021), National Planning Practice Guidance (NPPG, 2019) and other policy documents as material considerations. The Guidance is clear that there needs to be a clear strategic framework that can justify the need for making a compulsory purchase order. The outline application submitted to the LPA in March 2023 has been considered against national and local planning policy and has been found to be generally in accordance with the planning framework for the area. The planning statement submitted in support of the application notes that the proposals will result in the loss of poor-quality employment land and involve the demolition of Colonial Works, a non-designated heritage asset which is subject to complaints from Members and the local community due to its very

poor condition. The loss of employment land and the demolition of the Colonial Works must be balanced against the significant regeneration benefits arising from the development and its contribution towards meeting local housing needs.

- 4.29 The delivery of part of Phase 1 for housing is already supported by the development plan; however, the majority of the land parcels are allocated and safeguarded for Local Quality Industry within Policy IND4 of the SAD. Policy IND4 states that the land subject to the policy will be considered for release for other uses under the provisions of BCCS policy EMP 3. Furthermore, a review of employment sites across the Black Country was undertaken as part of the evidence base to support the preparation of the Black County Plan (BCP), this included the 'consider for release' sites within the Phase 1 land. Whilst the BCP is no longer being progressed, the BCP evidence base is being used to inform future planning policy work. The Black Country Employment Area Review (BEAR) Report (2021) concluded that the Phase 1 sites are among the poorest quality employment sites in the Black Country. Given the condition of the sites, it is unlikely that they would be attractive for general employment use. It should be noted that the Council has a shortage of both employment and housing land. However, despite the shortage of employment land, the 'consider for release' sites within Phase 1 are not deemed to be suitable for long-term retention in employment use and housing is considered to be the preferred use.
- 4.30 The WFP was developed in consultation with stakeholders that included the local community and was supported by Walsall Council's Cabinet in 2022. Although not part of the Council's Local Plan, the WFP presents a vision and aspiration for the future of Willenhall and aims to deliver large scale, comprehensive and coordinated growth across the town. The WFP therefore provides an important evidence base for the need for comprehensive redevelopment.
- 4.31 **Social/economic/environmental wellbeing benefits**
When determining whether to make a compulsory purchase order under section 226 of the TCPA 1990 a local authority must consider whether the development or redevelopment which the Order will facilitate will contribute to achieving the promotion or improvement of the economic, social, or environmental wellbeing of the area. Cabinet will be aware that the Council has an aspiration to invest in Willenhall, recognising that unlike other areas in the Borough it has not benefitted as positively from previous intervention. This, together with the arrival of a new railway station and recognition of the Walsall Growth Corridor as being a strategic priority for the West Midlands for housing delivery, provides a real opportunity for the regeneration of Willenhall. The development of much needed new homes will contribute to this housing delivery.
- 4.32 To ensure a holistic approach to the regeneration of Willenhall, due diligence undertaken concluded that a Framework Plan for the area was crucial in setting out the Council's aspirations and ensuring that there were clear social, economic, and environmental benefits from the Council's interventions. The development of the Framework Plan also provided an opportunity to ensure that key stakeholders including the local community were on board with the Council's aspirations. The Framework Plan sets an aspiration to deliver housing-led

regeneration in the area with a mix of housing tenure and type but also focuses on place making to ensure that the local community ultimately benefits from the proposed interventions. The benefits of the Phase 1 scheme are outlined in Paragraphs 4.24 and 4.25.

4.33 Consideration of alternative proposals

The Council in developing the WFP carefully considered the development plan and market intelligence to support the proposed use of land and property. The WFP has identified four opportunity areas with indicative boundaries for housing led regeneration. This approach was supported by stakeholders and the Cabinet in 2022.

4.34 Parts of the Phase 1 site have been derelict for a number of years and no meaningful redevelopment proposals have been brought forward for the site in recent years. The Council is, however, open to considering any alternative proposals that may come forward. As part of the negotiations process, the Council is in discussion with landowners to understand any alternative schemes that they may be considering. During the most recent meeting with one of the main landowners, in April 2023, the landowner's advisors presented high level plans and information for land in their client's ownership, with the view to either submitting planning applications or to further negotiations on compensation. AY are currently considering the information provided on behalf of the Council. It is also understood (from the advisors) that the same landowner has submitted a planning application for part of the site, but this planning application has not yet been validated. Should any of these proposals prove to be appropriate alternatives to the Council's proposed scheme these will be considered in detail. The Council's intervention in the site is based on the private sector's inability to bring forward the site for comprehensive development; this according to the Council's due diligence is due to the fragmented land ownership and unrealistic expectations on land values. Should the private sector bring forward a scheme that is deliverable, would secure comprehensive regeneration, and does not require the Council's intervention then this will be welcomed.

4.35 Human rights implications

The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole". Both public and private interests are to be taken into account in the exercise of the Council's powers.

4.36 In considering whether to make the Order, the Council has to carefully consider the balance to be struck between the public interest in securing the regeneration of the land and the provision of housing, and the individual owners' rights to peaceful enjoyment of their possessions. The development of the Phase 1 site will bring benefits to the wider community as it will not only regenerate an area that includes a number of derelict and dilapidated buildings but will importantly provide much needed new homes; the proposal will also contribute towards the Council's aim as outlined in the Council Plan (2022-2025): *Inequalities are reduced and all potential is maximised. Together we are committed to*

developing a healthier, cleaner and safer Borough and creating an environment that provides opportunities for all residents, communities and businesses to fulfil their potential and thrive.

It is considered that interference with Article 1 Protocol 1 rights is both necessary and proportionate, and that the balance should be struck in favour of making and confirming the Order.

4.37 Equalities implications

The Guidance highlights that acquiring authorities must adhere to the Equality Act 2010, in particular:(1) eliminate unlawful discrimination, harassment, victimisation; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The Council has prepared an Equalities Impact Assessment (EqIA) which is included as **Appendix E**. The EqIA considers any adverse effect on persons with protected characteristics and the balance in the public interest of making the Order against those adverse effects and in doing so the public sector equality duty has been complied with. The EqIA will remain a live document and kept under review.

4.38 As a public body, the Council has a duty to comply with the Equality Act in its everyday duties. In addition to this, one of the benefits of engaging affected parties is that it provides an opportunity to understand their particular needs and requirements:

- The Council has and continues to be proactive in trying to understand individual needs and requirements and is therefore keeping under review its FAQs and Business Charter to ensure that it is providing the support that is required where this is possible.
- The details of key contacts are made available on communications issued to affected parties with face-to-face meetings offered.
- Recent documentation issued to affected parties includes a statement that the information is available in large print or alternative formats.
- Information hosted on the Council's website is in an accessible format.
- The Council has also encouraged affected parties to appoint their own surveyors to provide advice and guidance and offered to reimburse reasonable fees.

4.39 It is considered that the tests in the Guidance are met in that there is a compelling case in the public interest for making the Order, it would be proportionate and reasonable to make the Order and a measure of last resort as negotiations to acquire all of the land interests required for the scheme are not likely to be concluded within a reasonable timescale, there are no financial, legal or physical impediments to the implementation of the scheme and the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Further details regarding the need and justification for the making of the CPO are set out in the draft Statement of Reasons included as **Appendix D**.

Council Plan priorities

4.40 The Council's Plan (2022 – 2025) focuses on five key areas that include:

1. *Economic – Enable greater local opportunities for all people, communities, and businesses; with a key outcome being-*

Supporting a dynamic, resilient and diverse economy where businesses invest, and everyone has the right jobs and the right housing in the right place.

The Council assembling the necessary land parcels for Phase 1 will be an important step in delivering new homes in Willenhall.

5. *Communities – Empower our communities so that they feel they are connected and belong in Walsall, creating safe and healthy places whilst building a strong sense of community; with a key outcome being-*

Our communities will be more resilient and supportive of each other.

The WFP which sets out a vision for the area over a ten-year period aims to grow Willenhall into a vibrant, connected, and welcoming town with a strong sense of place which celebrates its diverse communities and promotes safe, healthy, and active lifestyles. The delivery of the WFP and therefore the Phase 1 scheme will ultimately benefit the local community.

Risk management

4.41 Risk: Cabinet does not approve the use of the Council's compulsory purchase powers

Cabinet may decide that it does not support the use of the Council's compulsory purchase powers based on the information presented. In such a scenario, negotiations with landowners to acquire via private treaty will continue, but this is likely to be a protracted process and, based on evidence to date, unlikely to result in the successful acquisition of all of the necessary land parcels in a timely manner due to the number of landowners. Delivery of new homes will be in jeopardy as will the Council's ability to deliver the WFP which may also have reputational risks.

Mitigation: Significant due diligence has been completed to ensure that the land assembly strategy for Phase 1 is robust, appropriate and proportionate. Furthermore, Cabinet at its meeting in February 2022 agreed to the in-principle use of its compulsory purchase powers to assist with ongoing negotiations. An update on the further work to develop Phase 1 and the consideration of the requirements that must be satisfied before the making of any Order are set out in this report and clearly articulate that the Council has met the requirements set out in the CPO Guidance.

4.42 Risk: The Council receives objections to the making of the Order
Subject to Cabinet approval, the Council will proceed with the making of the Order. The Council will then submit the documents to the confirming authority following which there will be an objection period. In the event that the Council receives objections to its proposals, negotiations to address the objector's

concerns, eg by making minor amendments to the scheme as a result, or by producing further evidence as to particular aspects of the case for the CPO, should continue. If the objections can be adequately addressed by these measures they may be withdrawn, which can either result in an Inquiry being unnecessary or Inquiry proceedings to be simplified/shortened. Where a qualifying person objects to a proposed CPO, and does not withdraw their objection, or their objection cannot be disregarded (e.g. because it relates solely to compensation), the objection is referred to as a 'remaining objection.' Where there are remaining objections, the confirming authority must consider the remaining objection(s) under either the written representations procedure, or by convening a Public Inquiry. The Council would then need to prepare evidence to justify the making of the CPO to satisfy the confirming authority that there is a compelling case in the public interest which justifies confirmation of the CPO. Objectors will also have the opportunity to put their case forward.

Mitigation: Whilst it is hoped that objections will not be received and therefore a Public Inquiry will not be required, the Phase 1 programme assumes a Public Inquiry will be required and preparations for an Inquiry are taking place in the background.

4.43 Risk: The Order is not confirmed

Should the Secretary of State (or the delegated inspector) decline to confirm a CPO (in part or in full), the delivery of the Phase 1 scheme may be jeopardised and the Council may also be liable for other parties' costs.

Mitigation: Following the in-principle resolution from Cabinet in February 2022, the Council has prepared a compulsory purchase timetable as a contingency measure to ensure that should it be necessary to make the Order it would be able to satisfy the requirements set out in the Guidance. Furthermore, the Council is also monitoring other compulsory purchase orders made by other acquiring authorities and strengthening its strategy where possible. The Council has already assembled a team that has the necessary experience, and this team has been further enhanced by the appointment of Counsel. All the necessary steps are being taken to comply with the Guidance and the compulsory powers available to the Council to ensure a successful outcome. Further details on the powers available to the Council and those that are most appropriate to use in this case are set out in the Legal implications section.

4.44 Risk: Programme slippage

A programme has been developed for Phase 1 to ensure that all project dependencies are met to ensure successful delivery. Should there be unforeseen issues that delay land assembly, there is a risk that this could impact on the ability to deliver the scheme on time and to budget as external funding secured for the scheme is time dependent.

Mitigation: The detailed programme is reviewed regularly by the Willenhall Project Board and regular updates on negotiations are received from AY as well as any updates on the timescales for other compulsory purchase Inquiry dates and decisions. Should it transpire that delays in land assembly will cause delays beyond funder timescales, this will be reported at the earliest opportunity and

an extension to the programme sought. The Council is already in dialogue with the external funders and is therefore confident that it can mitigate against any programme slippages.

4.45 Risk: Funding

The Council has successfully secured LUF2 and LPIF funding to fund land assembly and enabling works. There is a risk that due to programme slippages this funding could be withdrawn. This would risk project delivery and is also a reputational risk for the Council.

Mitigation: The Council has a good working relationship with the funding bodies and has regular dialogue with both organisations. Programme risks will be highlighted at the earliest opportunity to avoid the loss of funds and to discuss options. The Council funded element of Phase 1 will be from the Development Investment Fund; this fund and the Council's capital pipeline is kept under regular review by the Council's Strategic Investment Board.

4.46 Risk: Procurement

There is a risk that the procurement process to appoint a developer partner may not be successful, in which case the Council will need to consider alternative procurement options. This may also extend the holding period for any properties that may have been acquired.

Mitigation: The Council has already commenced the procurement process and has received a positive response from the market. Cabinet will be informed of the outcome of the procurement process in October 2023 and will be asked to approve the appointment of the successful bidder.

Financial implications

4.47 The funding required for land assembly (cost estimate) has already been approved by Cabinet at its meeting on 9 February 2022, and secured from external sources, namely LUF2 and LPIF. There are therefore no financial implications arising from this report as there is sufficient budget for Phase 1. The overall costs and budget requirements (estimated) for Phase 1 were presented to Cabinet in December 2022 as part of the private session report Willenhall Framework Plan: Phase 1 Developer Partner Procurement Approach and Funding Update.

4.48 A further report will be presented to Cabinet in October 2023 that will set out the outcome of the developer partner procurement.

Legal implications

4.49 The Council has appointed Bevan Brittan LLP as its external legal advisors for the WFP and associated workstreams.

4.50 Although the Council has compulsory purchase powers pursuant to section 17 Housing Act 1985 relating to the delivery of housing, given the regeneration objectives of the proposed development of Phase 1 it is considered that the

most appropriate powers will be those contained in section 226(1)(a) of the Town and Country Planning Act 1990 as the purpose of making the Order is not restricted to facilitating the provision of housing. The purpose is to secure development or redevelopment of the land for both housing and open space. The open space to be provided includes public open space to be made available to the public at large. The making of a compulsory purchase order under S.226 (1) (a) of the Town and Country Planning Act 1990, section 13 of the Local Government (Miscellaneous Provisions) Act 1976 and the Acquisition of Land Act 1981 is a function which Cabinet may exercise, in accordance with the provisions of the Council's Constitution.

4.51 Section 226 of the Town and Country Planning Act 1990 enables a local authority to exercise its compulsory purchase powers:

(i) If it considers that acquiring the land in question will facilitate the carrying out of development, redevelopment, or improvement on, or in relation to, the land being acquired (s.226(1)(a)); and

(ii) Provided that it considers that the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of its area (s.226(1A)).

4.52 The Council must therefore ensure that both of these elements are satisfied prior to the making of any Order; and it is considered that this is the case. Furthermore, the requirements set out in the CPO Guidance must also be satisfied before the making of any Order. The requirements set out in the Guidance are discussed earlier in this report (Paragraph 4.15 to Paragraph 4.39).

4.53 It should be noted that the use of compulsory purchase powers is a last resort and therefore negotiations with the landowners will continue throughout the process.

4.54 Section 6 Human Rights 1998 Act prohibits public authorities from acting in a way that is incompatible with the European Convention on Human Rights. The main article of the Convention that is of importance in circumstances where the Council is considering making a compulsory purchase order is Article 1 of the First Protocol – the protection of property which provides that every natural or legal person is entitled to the peaceful enjoyment of his possessions and that no one shall be deprived of his possessions except in the public interest.

4.55 The Courts have confirmed that a compulsory purchase order should only be made where there is a compelling case in the public interest. An acquiring authority should therefore be sure that the purpose for which it is making a compulsory purchase order sufficiently justifies interfering with the human rights of those with an interest in the land affected, having regard, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights.

- 4.56 The delivery of a comprehensive housing scheme will not only deliver much needed new homes (c106) but will also provide a catalyst for the delivery of the WFP that aspires to deliver 500+ new homes and place making. This is considered to outweigh the existing uses currently operating from the land in private ownership. With regard to the landowners, the compulsory purchase process will ensure that the landowners are compensated accordingly. It is also considered that the land assembly of the Phase 1 site and delivery of new homes will send a strong message to the market and may encourage the private sector to invest in Willenhall. Furthermore, the Council's intervention will also demonstrate that it is willing to use its powers where it considers that landowners may be land banking and or letting land and property deteriorate.
- 4.57 Under section 122(1) of the Local Government Act 1972 the Council can appropriate land within its ownership for any purpose for which it is authorised to acquire land by agreement, and where that land is no longer required for the purpose for which it is held. If the Council appropriates land for planning purposes it can, by virtue of section 203 Housing & Planning Act 2016 (HPA) (subject to the satisfaction of various criteria and payment of compensation) in relation to that land carry out building or maintenance work or use the land in contravention of a private right or interest. The potential need for the Council's land interests in Phase 1 to be appropriated for planning purposes will be considered later in the development programme.

Procurement Implications/Social Value

- 4.58 There are no direct procurement implications resulting from this cabinet report. However, the procurement of a developer partner for Willenhall Garden City: Moat Street and Villiers Street (Phase 1) via the Homes England Dynamic Purchasing System (DPS) is compliant with the Public Contracts Regulations 2015 and the Council's Contract Rules. Social value has been included in the tender and it is expected that significant social value benefits will be delivered.

Property implications

- 4.59 The successful acquisition of Phase 1 interests will result in the Council being liable for maintenance and management of additional land and property until such time that the Phase 1 delivery commences. Costs associated with holding costs and site security hoardings have already been factored into the overall scheme costs. The recommended procurement process should deliver an exit route for the Council that diminishes any related liabilities. There is a risk that the procurement process may not deliver a suitable developer partner, in which case the Council will need to consider alternative procurement options that may extend the holding period for any properties that may have been acquired.
- 4.60 A further report will be presented to Cabinet in October 2023 that will set out the outcome of the developer partner procurement together with details of any property implications.

Health and wellbeing implications

- 4.61 The WFP considers the wellbeing benefits of the proposed development and concludes that proposals will contribute to the social, economic, and environmental wellbeing of the area. The assembly of land will help facilitate the development of Willenhall as a place where individuals aspire to live, work, and spend leisure time. There is therefore a positive impact on health and wellbeing.
- 4.62 It should be noted that there could be a negative impact on the health and wellbeing of those landowners and tenants directly affected by the proposals. The Council will make every effort to continue to understand their needs and requirements and provide support where possible.

Reducing Inequalities

- 4.63 An Equalities Impact Assessment (EqIA) has been produced for the WFP. The EqIA has been reviewed and a separate EqIA has been developed for the Phase 1 proposals and the CPO. This is attached as **Appendix E** and concludes that the engagement and evidence to date suggests that there is a neutral impact for people with protected characteristics. The EqIA will continue to be reviewed and updated as proposals are developed.
- 4.64 The WFP provides the support to drive forward the regeneration of the area. As well as setting out the Council's aspiration to promote Willenhall as an area that is a sustainable place to live, work and spend leisure time it also contributes towards the Council's vision as outlined in the Council Plan (2022-2025): Inequalities are reduced and all potential is maximised. The delivery of new homes in particular will aim to diversify the type and tenure of homes available in the area so that the needs of the community can be met.

Staffing implications

- 4.65 To date this key strategic scheme has required significant input from staff within Regeneration, Housing and Economy alongside support from other areas of the Council as appropriate: Finance, Legal, Procurement, Corporate Landlord and Development Management. Activity associated with land assembly will require this work to continue with a particular supporting role for staff in Corporate Landlord.

Climate Impact

- 4.66 The Willenhall Framework Plan links to the Resilience and Adaptation theme of the Council's Climate Change Action Plan and the aim to align climate action with regeneration, construction, and planning policy to enable economic prosperity and promotion of sustainability.

Consultation

- 4.67 As part of the development of the WFP, engagement with the local community and key stakeholders took place in order to better understand key issues that the Framework Plan needed to address; bringing derelict or redundant sites back into use was a high priority for respondents from the community.

- 4.68 A public engagement exercise was also completed prior to the submission of the outline planning application for Phase 1 to inform residents, businesses, and community groups about the proposals and to seek their views. Respondents were generally positive about the proposals, highlighting benefits associated with developing derelict sites and benefits associated with the provision of new housing.
- 4.69 The outline planning application for Phase 1 is subject to the statutory consultation process.

5. Decide

- 5.1 There are three options to consider: “do nothing”; continue to seek to acquire the necessary land parcels via private treaty; or use of the Council’s compulsory purchase powers as required.
- 5.2 Do Nothing: The Walsall Site Allocation Document sets the planning framework for Willenhall and the Borough. The Council could therefore choose to do nothing and wait for landowners to bring sites forward for development or to the market. However, this will not assist with meeting the Borough’s housing targets or the wider regeneration of Willenhall as there is an awareness that viability issues due to abnormal site costs, high land value expectations and fragmented ownership are known to hinder sites being brought forward. The Council has successfully secured external funding to deliver new homes within the Phase 1 site, do nothing is therefore not an option.
- 5.3 Continue to seek to acquire the necessary land parcels via private treaty: The Council has already engaged and is negotiating with all but one of the Phase 1 landowners and could continue to negotiate with the landowners in the hope that it is able to acquire the necessary land parcels via private treaty. Negotiations to date have highlighted that agreement on value is a key issue. A review of progress has highlighted that whilst negotiations could continue, the Council is not likely to acquire the necessary land parcels in a timely manner and this could jeopardise the external funding secured for Phase 1. It is also considered that negotiations could breakdown due to fatigue and lack of agreement on value. It is considered that the Council has met the requirements set out in the CPO Guidance and therefore the option to continue to negotiate via private treaty is not considered to be in the best interest of the Council. Furthermore, Cabinet will recall that it has previously agreed to the in-principle use of its compulsory purchase powers.
- 5.4 Use of the Council’s compulsory purchase powers: In reviewing progress made to acquire the necessary land parcels and also the requirements set out in the CPO Guidance, it has been concluded that the Council should use its compulsory purchase powers rather than wait for negotiations to breakdown. The programme for delivery and funder expectations has also been considered. Indeed the CPO Guidance states that acquiring authorities should use compulsory purchase powers where it is appropriate to do so. Furthermore, the making of a compulsory purchase order can often encourage affected parties to

enter into more meaningful negotiations. In comparison to the alternative approach of continuing to acquire via private treaty, the compulsory purchase option will assist the Council in acquiring the necessary land parcels in a timely manner and also send a strong message to the market and landowners. Cabinet will recall that it has previously agreed to the in-principle use of its compulsory purchase powers and should note that negotiations will continue throughout the process.

- 5.5 It is recommended that Cabinet approves the use of the Council's CPO powers under section 226(1)(a) of the Town and Country Planning Act 1990. Noting that the use of CPO powers is a last resort and therefore negotiations with the landowners will continue throughout the process.

6. Respond

- 6.1 Subject to Cabinet approval of the recommendations set out in this report, the documentation required for the making of the Order will be finalised and in the event that objections are received preparation will be made for a CPO Inquiry.

7. Review

- 7.1 The CPO Guidance and the delivery programme will continue to be reviewed to ensure that in the event that a CPO Inquiry is required the Council is well prepared, and that it is able to deliver the scheme on time and to budget.

Appendices

Appendix A Phase 1 site boundary

Appendix B Draft Order and Schedule

Appendix C Draft Order Map

Appendix D Draft Statement of Reasons

Appendix E Equality Impact Assessment

Background papers

- a) Willenhall Economic And Development Programme, Cabinet Report, 19 October 2015
- b) Willenhall Masterplan: Strategic Land Acquisitions, Cabinet Report, 10 February 2021
- c) Willenhall Framework Plan, Cabinet Report, 09 February 2022

d) Willenhall Framework Plan: Phase 1 Developer Partner Procurement Approach and Funding Update, Cabinet Report, 14 December 2022

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Kathryn Moreton
Interim Director

On behalf of

David Brown
Interim Executive Director

19 July 2023



Councillor Adrian Andrew
Portfolio Holder

19 July 2023