

Report of^[x1]: Head of Finance

To: City Executive Board

Date^[x2]: 11 June 2008

Item No^[EM3]:

Title of Report ^[x4]: THE OXFORD CITY COUNCIL (REDEVELOPMENT AND EXTENSION OF THE WESTGATE SHOPPING CENTRE) COMPULSORY PURCHASE ORDER 2007



Summary and Recommendations



Purpose of report^[x5]: To advise the Board of the stage which has now been reached in the Compulsory Purchase Order (CPO) process, steps currently being taken, and the timetable for the remainder of the process: to confirm the appointment of Drivers Jonas as the Councils consultants in negotiating terms, and to alter the previously agreed arrangements under min 168 for delegation to principal officers]



Key decision^[x6]: No

Lead member^[x7]: Councillor Cook



Report Approved by: ^[EM8] Councillor Cook; Jeremy Thomas, Penny Gardner

Policy Framework^[x9]: West End Area Action Plan; [Development site 20]; The Oxford Local Plan 2011–2016, (policies DS.1, [Abbey Place Car Park], DS.16 [OCVC College site] DS.88 [Westgate Shopping Centre])



Asset Management Plan 2006 – (Appendix 5, Action Plan, Theme 2



Recommendation(s)^[x10]: To note the stage now reached in the CPO process, the further steps to be taken, and the likely timetable for these; and to confirm the appointment of Drivers Jonas to act on the Councils behalf in the acquisition of property under the confirmed CPO; and to agree that the delegated powers agreed in November 2006 should be exercisable by the Executive Director, City Regeneration.



1. At its meeting on 20 November 2006,(min 168) Executive Board agreed to make a Compulsory Purchase Order in respect of the above scheme, and authorised two principal officers to take all necessary steps to make, confirm and implement the Order, subject to completion of a cost indemnity agreement with the developer. Following the recent changes in the Councils management structure, it is recommended that authority to exercise the delegated powers under minute 168 should now be exercisable by the Executive Director, City Regeneration (in place of Strategic Director, Finance and Corporate Services) as well as by Head of Legal and Democratic Services
2. The Order was made by the City Council on 16 May 2007. At the same time the cost indemnity agreement was entered into with the developer. A number of objections to the Order were received, necessitating a Public Inquiry, which was held in December 2007 at the Town Hall.
3. On 30 April 2008, the Government Office for the South-East (GOSE) advised the Council that the Secretary of State for Communities and Local Government had accepted the Inspectors recommendation that the Order be confirmed without modification. At the same time a certificate was issued authorising the provision of replacement open space in exchange for that to be taken by the proposed scheme, and it was noted that there had been no objection to the Highway Orders necessary for the scheme.
4. Notices of confirmation of the Order were sent to landowners and occupiers on 21 May 2008, and the requisite press and site notices were posted on 23 May 2008. The Order may be challenged within six weeks from the date of first publication of confirmation, but the grounds for this are limited.
5. All landowners and occupiers have also been formally notified that the Council may acquire outstanding property interests by means of a General Vesting Declaration. In short, under this process, ownership of property affected will transfer to the Council a minimum of three months from the date of first notification, without first having to agree compensation. The proposed timetable for Vesting will be agreed with the developer, and any update on this reported verbally to the meeting.
6. Under the terms of the Indemnity Agreement entered into with the developer the Council is required to appoint Drivers Jonas as consultant surveyor to negotiate acquisition terms on its behalf. This firm has been acting in a similar role for the developer since the commencement of the Compulsory Purchase Order process. All fees due to them are recoverable from the developer. As this appointment is technically a departure from the contract rules in the constitution, Board is asked to formally approve the appointment.
- 7 The Board is recommended to note the stage now reached in the CPO process, the further steps to be taken, and the likely timetable for these; and to confirm the appointment of Drivers Jonas to act on the Councils behalf in the acquisition of property under the confirmed CPO; and to agree that the

delegated powers agreed in November 2006 should be exercisable by the Executive Director, City Regeneration

Name and contact details of author^[x11]: Martin Lyons
Asset Management
01865 252138
mlyons@oxford.gov.uk

Background papers^[x12]: Letter from GOSE, dated 30 April 2008

