

To: Cabinet
Date: 18th March 2026
Report of: Deputy Chief Executive - Place
Title of Report: Jericho Wharf

Summary and recommendations	
Decision being taken:	To put in place a process for this council to assist in bringing forward the Oxford Plan proposals for development at Jericho Wharf.
Key decision:	No
Cabinet Member:	Councillor Ed Turner, Deputy Leader (Statutory) – Finance and Asset Management
Corporate Priority:	Good, affordable homes, Strong, fair economy, Thriving communities.
Policy Framework:	The Oxford Local Plan 2016-2036 Policy SP33: Canalside Land. Planning permission will be granted for a mixed-use development at the Canalside Land that includes all of the following uses: <ul style="list-style-type: none"> a) residential b) a sustainably sized community centre c) public open space/square d) replacement operating boatyard and winding yard e) a new bridge over the Oxford Canal for pedestrians and cyclists

Recommendation(s): That Cabinet resolves to:	
1.	Seek to procure a development partner / operator, with a viable business plan, to try to acquire the Jericho Wharf site by agreement and deliver the requirements set out in Policy SP33 and to indemnify the Council for the associated costs; and
2.	Confirm that if the Jericho Wharf site cannot be acquired by agreement, then, as a last resort it would be willing subject to compliance with all relevant legal and policy requirements, if necessary consider the use of its Compulsory Purchase Order (CPO) powers to acquire the site; and to

3. **Note** that if an option to use CPO powers was to be pursued a further report would need to be submitted to Cabinet to seek approval for a detailed scheme for the redevelopment of this site demonstrating that the legal and policy tests for the use of its CPO powers had been satisfied. This would need to be accompanied by a recommendation to Council to seek authority to set up a budget for any additional costs for the implementation of its CPO powers, which would be redeemed from the development partner

Appendix No.	Appendix Title	Exempt from Publication
Appendix 1	Local Plan Policy SP33: Canalside Land	No
Appendix 2	Ownership Plan	No
Appendix 3	Risk Register	No
Appendix 4	Equalities Impact Assessment	No

Introduction

1. This report seeks to facilitate development at Jericho Wharf which has been vacant for around two decades. The Council and local community including Jericho Wharf Trust have become increasingly frustrated at the lack of progress and the latest planning consent granted in February 2023 has now lapsed with no sign that development is coming forward.
2. The Council has met with the landowner several times to seek assurances that they will bring forward development in a timely fashion. Such assurances have not been forthcoming. As such, to stimulate development the proposal is to work to try to identify potential alternative development partners for the site and for them to seek to acquire the site from the current landowner.
3. Approval is therefore sought from Cabinet that, in the circumstances that if development is not brought forward by the landowner in line with the policy requirements the council would seek to procure an alternative development partner, with a viable business plan, to acquire the site by agreement. In addition, approval is sought to confirm that if necessary and as a last resort, in the event that the site cannot be acquired by agreement, the council would be willing to use their powers under a Compulsory Purchase Order (CPO) if satisfied that the legal and policy tests were met.
4. If CPO powers were needed, a further report would need to be submitted to Cabinet for approval which demonstrates the details of the redevelopment scheme and that the relevant legal and policy tests for the use of CPO powers are met, having regard to the circumstances as they exist at that time together with a recommendation to Council for the setting up of a budget for any additional costs for the implementation of its CPO powers, which would be redeemed from the development partner.

Planning

5. The site is currently majority owned by Cheer Team Corporation (CTC) Ltd and with some of the land owned by Oxford City Council, Diocese of Oxford and the Canal & River Trust.

6. The Oxford Local Plan 2036 Policy SP33: Canalside land states that Planning permission will be granted for a mixed-use development at the Canalside Land that includes all of the following uses:
 - a) residential
 - b) a sustainably-sized community centre
 - c) public open space/square
 - d) replacement operating boatyard and winding yard
 - e) a new bridge over the Oxford Canal for pedestrians and cyclists
7. CTC secured a planning consent in 2016 (14/01441/FUL) including: 23 residential units together with a new community centre, restaurant, boatyard, public square, winding hole and public bridge across the Oxford Canal. This development had the support of key stakeholders including JWT and the Diocese but is now expired.
8. A further planning application by Cornerstone, working with CTC, was approved on appeal 9th February 2023 (20/01276/FUL) to provide mixed residential, community centre and boatyard uses, including associated works for the provision of new public realm but excluding a new bridge and replacing this with a financial contribution towards a replacement bridge at Mount Place, located close to the site. This application is now also expired.
9. The emerging draft Local Plan 2045 currently under consultation includes Policy SPCW3: Canalside Land, Jericho sets out the following requirements: Planning permission will be granted for a mixed-use development at the Canalside Land site that includes the following:
 - Residential dwellings.
 - A community centre to replace the existing Jericho Community Centre on Canal Street.
 - Public open space.
 - Replacement operating boatyard.
 - Electric charging points for mooring boats.
10. Latest guidance from the EA shows an increased flood risk for the site and a draft level 2 Strategic Flood Risk Assessment (SFRA) has been undertaken specifically for the Canalside site. The level 2 SFRA indicates that it should still be possible to locate uses within the remaining FZ2 area. However, the site does face additional barriers to development.
11. The National Planning Policy Framework (NPPF) provides a framework for planning policies in England, which includes guidance on the use of compulsory purchase orders (CPOs). The NPPF aims to facilitate sustainable development and includes guidance on CPO's designed to help local authorities in the process of acquiring land for development purposes.

Appoint development partner

12. In the absence of any progress from the developer approval is now sought from Cabinet to take on a facilitating role in bringing the site forward. Officers are therefore proposing to seek a development partner / operator with a realistic and

viable business plan to try and acquire the site by agreement and deliver the requirements set out in the submitted policy, and to ensure that the financial implications for the Council are limited.

13. In the first instance, the Council would seek, with its development partner, to acquire the land by agreement. However, recommendation 2 makes it clear that if it is not possible to secure the site by agreement, the Council would as a last resort and if necessary be prepared to use its Compulsory Purchase Order (CPO) powers and seek approval from Council for any associated budgetary expenditure to acquire the site. Any costs incurred by the Council would be expected to be covered by the development partner / operator through a development agreement.
14. The Council will continue to engage with the current landowner however, the procurement process to secure a development partner will commence concurrent with the landowner engagement and is anticipated to take 6-9 months to complete.

Compulsory purchase process

15. The Council considers that in the event of no agreement being achieved with the landowner that the option to use its CPO powers to help assemble the land would, as a last resort, be pursued. The power to make a CPO which would be relied upon is s.226 of the Town and Country Planning Act 1990. This power can be relied on inter alia where acquisition is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated. Section 226 of the Town and Country Planning Act 1990 provides the powers for a local authority to seek the compulsory acquisition of land, subject to the confirmation by the Secretary of State. It is considered that given the derelict nature of the site, the strong policy framework advocating development, and its location within a Conservation Area it is expedient to pursue the CPO of the site in the interests of the proper planning of the area, subject to compliance with all relevant legal and policy requirements and the need to strike a fair balance against the impact on the human rights of those with an interest in the land affected.
16. The CPO process requires the local authority to fully justify the use of CPO powers. There are several legal and policy tests which must be shown to be met. These include setting out a compelling case in the 'public interest' for use of such powers, as well as the need to consider the 'public sector equality duty' and 'human rights' in respect of the use of CPO powers. There is a requirement to show that adequate resources are available to implement the scheme within a reasonable time period and that there are no likely impediments to the delivery of the scheme. It is necessary to show that there is no alternative means by which the same purposes could be achieved and that the CPO measure being pursued is a 'last resort', following reasonable efforts to acquire the land by agreement. Recommendation 3 makes it clear that before CPO powers are formally engaged, that a further report would be presented to Cabinet to demonstrate that the relevant legal and policy tests for a CPO have been satisfied.

Environmental Impact

17. Planning Policy SP33 in the Oxford Local Plan 2036 requires that a planning application must be accompanied by a site-specific flood risk assessment and development should incorporate any mitigation measures. A Comprehensive Flood Risk Management Strategy should be produced in support of the Flood Risk Assessment (FRA) for this site. This Flood Risk Management Strategy should be

developed in consultation with Category 1 organisations as defined by the Civil Contingencies Act 2004.

18. The majority of the site is located within Flood Zone 2 with areas of Flood Zone 3 located along the boundary with the tow path and extending into the central parcel of the site adjacent to the church. The emerging Local Plan guidance will require a sequential approach to locating development on the site, and may need a raised floor level for some of the site, to be informed by the FRA.

Financial implications

19. There is a £200,000 budget line in the capital programme for the redevelopment of the Jericho Wharf site, which will be used for any initial costs associated with a future procurement of a development partner, or costs associated with bringing the site forward for redevelopment. This money will be drawn down in line with the Scheme of Delegation.
20. A further report would need to be submitted to Cabinet with a recommendation to Council to seek authority to seek approval for budget for any additional costs required for the procurement and for the implementation of its CPO powers, which would be redeemed from the development partner.

Legal Issues

21. A further report The Council has statutory powers to acquire land compulsorily under section 226 of the Town and Country Planning Act 1990. This power enables the Council to make a compulsory purchase order where it considers that the acquisition will facilitate development, redevelopment or improvement and where that development is likely to contribute to the economic, social or environmental wellbeing of the area and is necessary in the interests of the proper planning of the area.
22. Recommendation 2 seeks approval from Cabinet to confirm a willingness to, if necessary, and as a last resort, use its Compulsory Purchase Order (CPO) powers to acquire the site with the appointed development partner. The development partner / operator would be required, as part of the agreement, to indemnify the Council for any cost/ liability associated with the use of these CPO powers.
23. Before any CPO process is instigated, a further report would need to be submitted to Cabinet to set out the details of the proposals and that the relevant legal and policy tests are met on the basis of the circumstances as they exist at that time, together with a recommendation to Council to seek approval for a budget to be redeemed from the development partner (Para 17).
24. Nothing in these recommendations prejudices any future decision as to whether a compulsory purchase order should be made, which would only be taken following consideration of a detailed report addressing the relevant legal, policy, funding and human rights considerations as they apply at that time.

Alternative Options Considered

25. The alternative is for the Council to leave development in the hands of the current developer with the risk that without any change in the strategy the site will continue to remain derelict with the loss of opportunity for much needed additional residential and community facilities.

Level of risk

26. The risk register is attached as Appendix 3.

27. The financial risk related to the cost of promoting a CPO and possible compensation is to be offset by the requirement for a third-party developer to indemnify the Council for costs incurred and secured via a development agreement.

Equalities impact

28. The Equalities Impact Assessment is included as Appendix 4.

Report author	Roo Humpherson
Job title	Regeneration Manager
Service area or department	Economy Sustainability and Regeneration
Telephone	07483 096541
e-mail	anhumpherson@oxford.gov.uk

Background Papers:
1 None