

18 July 2016**Agenda Item: 5e****REPORT OF SERVICE DIRECTOR ENVIRONMENT, TRANSPORT &
PROPERTY****PROPOSED URBAN EXTENSION EAST OF GAMSTON/NORTH OF
TOLLERTON - UPDATE****Purpose of the Report**

1. To provide Committee with an update on the planning, highways and the ongoing consortium discussions/issues to establishing a suitable joint legal framework between all the landowners in order to promote a planning and a delivery agreement for the development.

Information and Advice

2. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position. The exempt information is set out in the exempt annex.
3. Over recent months a number of positive and supportive discussions have been held with Rushcliffe Borough Council who are very supportive of this strategic development coming forward. The Gamston allocation would make a significant contribution to their required 5 year residential land supply
4. The Gamston consortium of public and private landowners plus their various developer and house builder representatives have historically collaborated on the basis of Memoranda of Understanding this arrangement worked satisfactorily up to the point when land was released from Green Belt, following a planning public Inquiry.
5. In view of the overall scale of the proposed residential development at Edwalton, Clifton and Gamston, Highways England has negotiated a high level strategic agreement with County Highways and Rushcliffe Borough Council, to ensure that there is a financial mechanism for highway improvements to the A52. Further details of these arrangements are set out in the exempt section of the report.
6. Due to the scale and complexity of the proposed development the City and County Councils are now enthusiastic that all landowners enter a formal legal framework to promote the planning and deliver the development.

7. July 2015 Committee approved a two stage approach for the formal legal development documentation.
8. The first stage would be all parties to enter a Planning Promotion Agreement (LPA). This agreement outlines how the parties manage and share the costs of promoting planning.
9. The second stage would require all parties to enter a Developer Land Collaboration Agreement (DLCA). This is a far more comprehensive agreement if compared with the LPA. The DLCA would cover the complex and challenging issues of “equalisation” of land value, how Section 106 and infrastructure costs are shared, how the land sales are phased and proceeds distributed between the various landowners.
10. Over recent months little progress has been made between the parties in moving forward on the overall legal framework which would enable the parties to progress the planning and deliver the development.
11. It has therefore not being possible to progress the County Council’s and City Council’s proposed two stage legal approach. As a result discussions on an alternative approach are on-going. A more detailed assessment of these issues is outlined in the exempt section of the report.

Other Options Considered

12. The County are exploring alternative options for progressing the development which are detailed in the exempt section of the report. Any strategy will need to be supported in principal by Rushcliffe Borough Council as the planning authority.

Reason/s for Recommendation/s

13. To make members aware of the difficulties currently being experienced by both the County Council and City Council in not being able to advance their legal strategy of a two stage approach to securing planning and overall delivery of the scheme.

Statutory and Policy Implications

14. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) The Committee notes the report.
- 2) That the committee supports the proposal consider an alternative option for progressing the development of the site as outlined in the exempt section of the report

Jas Hundal
Service Director – Environment, Transport & Property

For any enquiries about this report please contact: Oliver Dyke 0115 977 2395

Constitutional Comments (CEH 01.07.16)

15. The recommendations fall within the delegation to the Finance and Property Committee under its terms of reference.

Financial Comments (RK 04.07.2016)

16. There no direct financial implications arising from this report.

Background Papers and Published Documents

17. None.

Electoral Division(s) and Member(s) Affected

18. Ward(s): Ruddington, West Bridgford Central and South
Member(s): Councillor Steve Calvert, Councillor Liz Plant, Councillor Reg Adair

File ref.: /OD/SB/
SP: 3072

Properties affected: 50025 - Tollerton Airport, 50026 - Vacant Field Off Bassingfield Lane