

**CABINET
1 JUNE 2021**

ACQUISITION OF LAND AT SNIPE LANE, DARLINGTON

**Responsible Cabinet Member –
Councillor Charles Johnson, Resources Portfolio**

**Responsible Director –
Ian Williams, Chief Executive**

SUMMARY REPORT

Purpose of the Report

1. The purpose of this report is to seek Cabinet approval to acquire 2.27 acres of grazing land at Snipe Lane (shown hatched on the plan at **Appendix 1**) for future residential development and to give the Chief Executive the delegated authority to negotiate and acquire any other adjacent plots of land considered suitable for future development.

Summary

2. In March 2018 Cabinet approved the acquisition of land from Darlington Farmers Auction Mart (DFAM) adjacent to Snipe Lane for development to provide 450 new homes, including 300 affordable homes and, in September 2020 the establishment of a JVC to deliver infrastructure and to deliver and sell houses.
3. In April 2020 the Leader of the Council, at an Executive Decision Session, approved the use of a CPO to acquire part of Snipe Lane itself which is in unknown ownership and required to guarantee access to the proposed development.
4. A number of plots of land are accessed from Snipe Lane as well as the Council's land.
5. In February 2021 cabinet authorised the acquisition of 11.16 acres of land from two separate owners of plots accessed from Snipe Lane for future development and in order to secure withdrawal of objections to the Snipe Lane CPO . These sales were subsequently completed on terms approved by Cabinet.
6. In further informal negotiations the owners of 2.27 acres of grazing land have also now agreed to sell their land to the Council.
7. The provisionally agreed terms are set out in **Appendix 2** to be considered as a **Part III** to this report.

Recommendations

8. It is recommended that:
 - (a) Cabinet approve the acquisition of land on the terms set out in Appendix 2 Part III of this report, and;
 - (b) The Assistant Director for Law and Governance be authorised to complete the transfers of land accordingly, and;
 - (c) The Chief Executive be given delegated approval to negotiate terms and acquire any remaining plots of grazing land accessed from Snipe Lane north of the A66 and considered suitable for future development. Terms to be reported on the schedule of transactions.

Reasons

9. The recommendations are supported by the following reasons:
 - (a) To secure land for future residential development, and;
 - (b) To give the Council control of a large area of land for future residential development..

Ian Williams
Chief Executive

Background Papers

No background papers were used in the preparation of this report

Guy Metcalfe – Ext 6725

S17 Crime and Disorder	The report has no implications for crime and disorder
Health and Wellbeing	The report has no implications for health and wellbeing
Carbon Impact and Climate Change	The report has no implications for sustainability
Diversity	No implications
Wards Affected	Hurworth
Groups Affected	None
Budget and Policy Framework	The resolutions in this report are not likely to result in changes to the budget framework.
Key Decision	No
Urgent Decision	No
One Darlington: Perfectly Placed	There are no issues adversely affecting the Community Strategy
Efficiency	The workload resulting from the recommendations in this report assumes resources at existing levels.
Impact on Looked After Children and Care Leavers	N/A

MAIN REPORT

Information and Analysis

10. In March 2018 Cabinet approved the acquisition of land from DFAM adjacent to Neasham Road and either side of Snipe Lane for residential development. The development aims to provide 449 new homes, made up of 155 private sale houses, 150 new affordable Council Houses to be built by the Council and 144 affordable homes in a future phase to be built by a registered social housing provider or the Council.
11. In September 2020 Cabinet approved the establishment of a Joint Venture Company (JVC) between Esh Homes Ltd and the Council to deliver infrastructure and to deliver and sell houses.
12. In April 2020 the Leader of the Council, at an Executive Decision Session, approved the use of a CPO to acquire part of Snipe Lane itself which is in unknown ownership and is required to be able to adopted as public highway. The Council subsequently made and published the Darlington Borough Council (Snipe Lane) CPO 2020 in August 2020.
13. In February 2021 Cabinet authorised the acquisition of 11.16 acres of grazing land at the northern end of Snipe Lane from two owners in order to both control future residential development land and to secure withdrawal of their objections to allow the Snipe Lane CPO to be confirmed at an early date. These acquisitions were duly completed on the terms authorised by Cabinet and whilst the CPO has not yet been confirmed by the Secretary of State all objections have been withdrawn and confirmation is anticipated in the next few weeks.

14. The Council now owns most land accessed from Snipe Lane and bounded by the A66, Neasham Road, Railway Cottages and the East Coast Mainline. The Council's ownership is shown shaded grey on the plan at Appendix 1 with an overlay of the current proposed development referred to in para 10 above. The only land not owned by the Council is a 2.27 acre plot of grazing land shown hatched on the plan, a further 2.8 acres of land and house occupied as a small-holding and Snipe Lane which is in unknown ownership (part of which is subject to the CPO).
15. In informal negotiations with the owners of the 2.27 acre plot of land they have now agreed to sell their land to the Council. This land is included in the yet to be confirmed Local Plan as future residential development land and will be available for development in the medium to long term.

Proposed Terms

16. The provisionally agreed terms are set out in Appendix 2 to be considered as a Part III to this report.

Valuation Comment

17. It is considered that the price provisionally agreed for the acquisition of the 2.27 acres of land represents best value and is the same, pro-rata, as paid for the 11.16 acres approved in February.

Finance Comment

18. The acquisition price detailed in Appendix 2 Part III will be funded from the Economic Growth Investment Fund.

Planning Comment

19. There are no unresolvable planning issues associated with this transaction.