

Report of Director of City Development

Report to Executive Board

Date: 7 February 2018

Subject: Land at East Leeds Extension and Thorpe Park Leeds

Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name(s) of ward(s): Crossgates and Whinmoor, Temple Newsam	
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If relevant, access to information procedure rule number: 10.4(3)	
Appendix number: 3	

Summary of main issues

1. The East Leeds Orbital Road (ELOR) is integral to the development of the East Leeds Extension (ELE), a major strategic growth area for the city, estimated to accommodate around 5,000 new homes by the time it is fully built out, alongside major new mixed use development at Thorpe Park. Its delivery clearly relates to the Best Council Plan ambition for a Strong Economy and Compassionate City and to the outcomes it seeks to achieve regarding delivery of good quality, affordable homes, new green spaces, well cared for places and a well-planned city which is easy to move around. Delivery of the ELE will provide new homes, meeting housing needs as the city grows, boost the local economy, deliver new social and physical infrastructure and improve travel and access to new employment opportunities.
2. The Executive Board has received a series of reports since 2013 on the proposals for ELOR as part of a wider East Leeds Transport Package, which will underpin and unlock the full development of the ELE. In itself ELOR is a complex and significant infrastructure project and will be the largest road scheme constructed by the city council since the 1970s.
3. At its February and June 2017 meetings the Executive Board considered updates on the ELOR project and approved a number of steps to move forward into its next phases. These included a start to procurement of the wider package of transport infrastructure works to include an initial contract for the delivery of junction

improvements on the A6120 Outer Ring Road and the detailed design of ELOR, with potential to take on the further contract for delivery of ELOR. Following a procurement exercise undertaken in accordance with national and EU procurement legislation, a bid from Carillion was assessed as offering the best value on the balance of cost and quality. Although the company was selected as Preferred Bidder for the works in December 2018, further due diligence and checks were underway on its financial situation and no contract had been entered into at the time of Carillion's liquidation. Work is now progressing to establish the most appropriate way forward in procuring the works, though it is not anticipated that the overall delivery programme for ELOR will be adversely affected.

4. Further approvals were made by Executive Board to the principle of acquiring land by negotiation to facilitate the delivery of ELOR; the making of a Leeds City Council (East Leeds Orbital Road) Compulsory Purchase Order 2018 ("the CPO") under sections 239, 240, 246, 249, 250 and 260 of the Highways Act 1980, the Acquisition of Land Act 1981 and Leeds City Council (A6120 (East Leeds Orbital Road Classified Road) Side Roads and Other Works) Order 2018 ("the SRO"); agreed the provisional financing package for the East Leeds Orbital Road and agreed that the scheme is injected into the Council's Capital Programme subject to confirmation of the WYTF Grant.
5. This report now sets out the work undertaken to assemble land to facilitate delivery of the ELOR in respect of property interests held by Scarborough Group International (SGI) and requests Executive Board to approve the terms set out in the Exempt Appendix 3.
6. Following previous Executive Board Approval (November 2011) the Council entered into a Land Agreement with Thorpe Park Developments Limited (TPDL) in 2013 to facilitate the construction of a new Manston Lane Link Road (MLLR) as a dual carriageway linked to the delivery of a new mixed use masterplan that would enable Thorpe Park to develop as a broader range of uses than its original conception as an office park. The MLLR would provide the essential connecting link through Thorpe Park to enable the strategic highway connection between ELOR and the M1 at junction 46.
7. As a result of this agreement and a series of related agreements relating to highways and the rail line involving the developer, Council and Network Rail, the MLLR is now under construction and is expected to be open by October 2018. The delivery of this road from Thorpe Park to Manston Lane over the main Leeds-York railway line is a significant step in terms of the delivery of commercial, retail, residential and leisure development at Thorpe Park and residential development of the ELE.
8. Furthermore, since the June 2017 Executive Board approval:
 - i) Planning permission has been granted for ELOR by the City Plans Panel on 23 November 2017 and the consent has now been issued;
 - ii) The CPO and SRO were formally made and issued in January 2018 and the Council anticipates there will be a Public Inquiry later in the year to hear any objections to the scheme;
 - iii) The Council has undertaken a procurement exercise to seek a contractor to deliver the first phases of work in the East Leeds Transport package and detailed design solutions for ELOR. Contingencies are now being explored to complete the procurement;

- iv) The Council has entered into a conditional grant agreement with the West Yorkshire Combined Authority (WYCA) for West Yorkshire Transport Fund Funding (WYTF) of £82.983m, draw down of which will be dependent upon progression of the project detailed case through WYCA's assurance process;
- v) Executive Board approved the injection of the remaining funding from borrowing at its meeting in June 2017 of £43.68m and acknowledged that until all the final costs are established this could increase and as such approved additional borrowing as required;
- vi) Discussions and negotiations have continued with the landowners and property interests affected by the route of ELOR with a number of in-principle agreements for acquisition by the Council being reached.

9. The Exempt Appendix 3 sets out the detail of an agreement with SGI/TPDL that will assist in bringing forward the delivery of ELOR and ELE.

Recommendations

Executive Board is recommended to:

- i. Agree the terms as set out in the Exempt Appendix 3 in respect of the Land Agreement with Scarborough Group International;
- ii. Agree that the costs associated with the financial settlement are injected into the Council's Capital Programme with funding in part to come from the WYTF Grant, and that Authority to Spend following the injection of funds into the Capital Programme by the Executive Board is delegated to the Director of City Development, in consultation with the Chief Officer Financial Services to complete the transaction;
- iii. Agree that in the event that there are any variations to the terms as set out in the Exempt Appendix 3, these are delegated to the Director of City Development in consultation with the Chief Officer Financial Services and Executive Member for Regeneration, Transport and Planning to approve.

1. Purpose of this report

- 1.1 The purpose of this report is to seek Executive Board approval to assemble land to facilitate delivery of the East Leeds Orbital Road (ELOR) in respect of the property interests held by Scarborough Group International (SGI)/Thorpe Park Developments Limited (TPDL) and requests Executive Board to approve the terms set out in the Exempt Appendix 3.

2. Background information

- 2.1 Executive Board has previously noted the importance of the East Leeds Extension (ELE) as the largest single area of allocated housing land in the city, estimated to accommodate around 5,000 new homes by the time it is fully built out. The plan at Appendix 1 shows the ELE and its component parts.

- 2.2 Executive Board has previously recognised the need to progress the ELE programme with clarity and pace. The Board has received a series of reports since 2013 on the proposals for a new East Leeds Orbital Road (ELOR) as part of a wider East Leeds transport package, which will underpin and unlock the full development of the area, providing access to development sites and strategic highways capacity. ELOR is a complex and significant infrastructure project, which as a 7km dual carriageway incorporating significant new pedestrian, cycling and equestrian facilities in a landscaped setting, will be the largest single highway scheme constructed by the city council since the 1970s. Planning permission has now been granted and issued for ELOR following a meeting of the City Plans Panel on 23 November 2017.
- 2.3 Further benefits from the delivery of ELOR will be seen on the existing A6120 Outer Ring Road through Seacroft, Whinmoor and Crossgates, which are expected to experience significant relief and environmental improvement from the diversion of current orbital and through traffic to ELOR, enabling improvements to this part of the highway network that will rebalance it towards pedestrians, cyclists and users of public transport.
- 2.4 Adjoining the ELE is Thorpe Park, is a major development that was original conceived as an out of town office park together with a green park but which is now being brought forward by as a mixed use development incorporating offices, non-food retail, leisure, hotel and residential development. The retail development will incorporate a new stores including Next, TK Maxx, Boots, M&S Simply Food, Odeon Cinema, together with a number of restaurants. The development is being undertaken by Thorpe Park Developments Limited via Thorpe Park Holdings Limited which is a joint venture company owned on a 50/50 basis by SGI and Legal and General Capital.
- 2.5 Thorpe Park is a major mixed use development for the city that will see new office, leisure, retail and residential development coming forward, that are estimated to create 13,000 new jobs and training opportunities, in a significantly expanded business and leisure destination. The scheme will create new highway connections with the M1 through a new Manston Lane Link Road (MLLR) connecting Crossgates and Austhorpe over a new rail bridge and providing a key link between ELOR and the motorway at junction 46. As part of the city's major public transport investment programme Thorpe Park is also proposed as the location for a new rail halt and Park & Ride facility. It is envisaged that this will further drive footfall at the site as well as offer attractive new travel options for existing and new residents of East Leeds, commuters, leisure and business visitors as an integrated part of the wider growth of the area, which will also benefit existing neighbourhoods, contributing to the regeneration of East Leeds as a whole.
- 2.6 The development at Thorpe Park will also deliver a major new public park (known as Green Park) which will comprise new open amenity space, playing pitches and landscaped areas, with links into neighbouring communities. Green Park will form a key part of a wider network of parks and open spaces with the scope to create links to Temple Newsam in the south, Roundhay Park in the North and open countryside to the east at Barnbow, using public rights of way, the ELOR landscape and amenity corridor and local open spaces to be delivered through the ELE developments.

- 2.7 The MLLR is currently under construction and is expected to be open by October 2018, which will enable the range of new developments currently underway to open and provide for its future connection with ELOR.
- 2.8 The delivery of the ELE and the ongoing development at Thorpe Park will clearly contribute to the Best Council Plan ambition for a Strong Economy and Compassionate City and to the outcomes it seeks to achieve regarding delivery of good quality, affordable homes, well cared for places and a well-planned city which is easy to move around. Delivery of the ELE and Thorpe Park will provide new homes, meeting housing needs as the city grows, add further commercial development to this part of the city, boost the local economy, deliver new social and physical infrastructure and improve travel and access to new employment opportunities.
- 2.9 The delivery of the ELE and Thorpe Park will also assist in delivering the wider objectives of the Best Council Plan and the Best City ambition for Leeds to support communities, build a child friendly city, deliver the better lives programme, enable positive public health outcomes, ensure that development is sustainable and that the Council acts in ways that reflect the need to be more efficient and enterprising.
- 2.10 The Council has committed to playing a leading role in the co-ordination and delivery of this transport infrastructure that will be necessary to realise this residential and economic growth, in a complex context of multiple land ownership, commercial interests and public funding.

3. Main issues

- 3.1 Since its June 2017 meeting progress has been made in the ELOR project as follows:
 - 3.1.1 Planning permission has been granted for ELOR by the City Plans Panel on 23 November 2017 and the consent has been issued.
 - 3.1.2 The CPO and SRO were formally made and issued in January 2018 and the Council anticipates there will be a Public Inquiry later in the year to hear any objections to the scheme.
 - 3.1.3 The Council has undertaken a procurement exercise to seek a contractor to deliver the first phases of work in the East Leeds Transport package - an initial contract for the delivery of junction improvements on the A6120 Outer Ring Road and the detailed design of ELOR, with potential to take on the further contract for delivery of ELOR. Following a procurement exercise undertaken in accordance with national and EU procurement legislation, a bid from Carillion was assessed as offering the best value on the balance of cost and quality. Although the company was selected as Preferred Bidder for the works in December 2018, further due diligence and checks were underway on its financial situation and no contract had been entered into at the time of Carillion's liquidation. Work is now progressing to establish the most appropriate way forward in procuring the works, though it is not anticipated that the overall delivery programme for ELOR will be adversely affected.

- 3.1.4 The Council has entered into a conditional grant agreement with the West Yorkshire Combined Authority (WYCA) for West Yorkshire Transport Fund Funding (WYTF) of £82.983m, draw down of which will be dependent upon progression of the project detailed case through WYCA's assurance process;
- 3.2 In addition discussions and negotiations have continued with the landowners that will be affected by the route of ELOR with a number of in-principle agreements being reached for acquisition of the relevant interests by the Council.
- 3.3 The following sections of the report set out progress that has been made with SGI in regard to the acquisition of an interest it acquired in the Council's land in the ELE as a result of the land agreement that was put in place to enable the delivery of the MLLR.
- 3.4 **Land Assembly**
- 3.4.1 The design of the ELOR scheme has now been completed to a level of detail that has recently secured planning consent, and as such it has enabled confirmation of the scheme boundary.
- 3.4.2 This has enabled identification all of the freeholds, leaseholds, tenancies, easements, rights and other interests in the land that will be affected by the delivery of the scheme and which will need to be acquired for the ELOR project within the boundary of the CPO that was detailed at Executive Board in June 2017.
- 3.4.3 SGI owns one of the property interests that has been identified and which requires acquisition for the delivery of ELOR. This interest was created as a result of discussions between the Council and TPDL to enable progression of the MLLR and Thorpe Park development. The construction of MLLR was originally an obligation on TPDL as part of the original planning consent granted for Thorpe Park and was included in a Development Agreement entered into with the Council in 1994 which required the developer to bring forward its construction with a bridge over the Leeds-York rail line when the level of office development under the original planning permission for Thorpe Park reached 1m sq. ft. The office development did not progress as quickly as anticipated, which lead TPDL to revising their proposals for the comprehensive development of the site which ultimately led to the current scheme that is under construction for predominantly non-food retail development with leisure and food outlets, residential development and future office development.
- 3.4.4 As part of the planning approval for this new mixed use development a further planning obligation was placed on TPDL to construct MLLR as a dual carriageway to be open and adopted prior to the opening of the retail development at Thorpe Park.
- 3.4.5 To achieve this TPDL and the Council entered into a further land agreement to facilitate the construction of MLLR as a dual carriageway and to create the required link for ELOR to the M1. This 2013 Land Agreement has thereby created SGI's property interest in the ELE and details of its implications and proposals for its acquisition are set out in the Exempt Appendix 3.

3.5 ELOR Land Acquisition Progress

- 3.5.1 The Council has already made some progress in acquiring the land and interests required for the ELOR scheme by negotiation, having purchased a private freehold in the Northern Quadrant of the ELE. The Council will also secure the transfer of all of the remaining land for ELOR in the Northern Quadrant through a s106 agreement that is expected to be signed as part of the impending planning approval for the housing scheme in this location. Officers are also in discussions with landowners and tenants in the Southern and Middle Quadrants of the ELE with a view to reaching agreements for acquisition or to establish the basis on which land will be transferred to the Council to enable scheme delivery and unlock adjoining housing land. The Council will seek to secure the transfer of land and interests owned by developers who will benefit from the ELOR, at nil consideration wherever possible.
- 3.5.2 There are significant advantages to the Council in seeking to resolve the 2013 Land Agreement by now acquiring the interest it has created for SGI in the ELE. The Middle and Southern Quadrant landowners have been reluctant to transfer their land for the ELOR scheme to the Council at nil consideration until the Council can confirm that SGI's property interest (and any related commercial impact this may have on development) in the ELE is removed. In acquiring the SGI interest the Council will then be in a position to secure via transfer at nil or nominal value a significant area of third party land for the ELOR scheme that it would otherwise have to acquire on open market terms or otherwise secure through compulsory procedures. A negotiated acquisition of the SGI interest will remove the risk that this itself also needs to be acquired through compulsory procedures, reducing the complexity, delay and cost of the process and risks to its successful confirmation.
- 3.5.3 In terms a CPO, the Guidance makes clear, use of CPO is intended to be a 'last resort' measure. Any case for CPO should demonstrate that all reasonable efforts have been employed to acquire necessary land for the road by negotiation and that there is a compelling case in the public interest justifying the use of CPO powers.
- 3.5.4 It is considered that the discussions that have taken place with SGI show that significant progress has been made to bring forward the assembly of land to assist in the delivery of ELOR and to remove impediments to third parties' willingness to transfer land for the project without the need for acquisition or compulsory procedures.

Human Rights

- 3.5.5 The Council is of the view that in pursuing the Compulsory Purchase Order, it has carefully considered the balance to be struck between individual rights and the wider public interest. The ELOR scheme will enable significant benefits to the growth of the city, unlocking major housing development in accordance with the Core Strategy and delivering significant benefits to the strategic highway network that will support economic development.
- 3.5.6 Any interference with Convention rights, if there is any, is considered to be justified and proportionate in order to secure the economic, social, physical and environmental regeneration that the scheme will bring. All of those persons whose rights under Article 8 of the Convention and under Article 1 of the First Protocol of the Convention will have an opportunity to object to these orders and to have any such objections considered at a public inquiry or hearing, in accordance with their rights under Article 6 of the Convention. Appropriate compensation will be available

to those entitled to claim it under the relevant provisions of the statutory compensation code.

- 3.5.7 It is considered that the proposed terms for the acquisition of the interest create by the 2013 Land Agreement will not interfere with SGI's Human Rights.

Funding

- 3.5.8 ELOR is included in the East Leeds Transport Package, which forms a key part of the £1bn West Yorkshire Transport Fund (WYTF) programme. There is funding of £82.983m allocated to the package, which received Gateway 1 (outline business case) approval from WYCA in April 2015 and in March 2017 received Gateway 2 approval. Note that the approvals process has recently changed and the scheme is currently at the Activity 4 stage under the West Yorkshire Combined Authority's Project Management Office Framework.
- 3.5.9 WYCA and the Council have agreed a conditional grant agreement that will enable the funds to be drawn down subject to the completion of WYCA's project assurance process. Where advance land assembly can be achieved and requires funding, the facility to draw down WYTF grant earlier than the final full funding approval has been agreed.
- 3.5.10 The full WYTF grant will cover the full costs of the A6120 Outer Ring Road elements of the package, but only part of the costs of ELOR. The gap in the initial capital costs of the ELOR scheme will need to be met by the Council through borrowing, the full costs of which would ultimately be recovered via a roof tax – incremental payments on the completion of each house in the ELE, secured as obligations through planning permissions and this approach was approved by the Executive Board in June 2017.
- 3.5.11 It is currently envisaged that the ELOR scheme can be completed by December 2021, as previously reported to Executive Board, subject to the progression of further statutory procedures, including the potential requirement for a Public Inquiry relating to the CPO and SRO.
- 3.6 The headline programme for the remainder of the ELOR scheme is as follows:
- | | |
|--|-------------|
| • Land assembly activities | Ongoing |
| • ORR Advanced Junctions Construction Start | Summer 2018 |
| • ORR Advanced Junctions Construction Completion | Summer 2019 |
| • ELOR CPO and SRO Completion | Feb 2019 |
| • ELOR Construction Start | Apr 2019 |
| • ELOR Construction Completion | Dec 2021 |

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 The Council has maintained regular engagement and discussion with the principal landowners across the East Leeds Extension regarding the emerging proposals for ELOR and the land requirements. Upon confirmation of the CPO scheme boundary the Council formally contacted all known landowners and tenants within it to confirm the position, progress discussions towards acquisition and advise them and others affected of the proposed SRO alterations.

- 4.1.2 All parties with land or property interests within the area of the CPO and SRO have been formally notified of the making of the Orders.
- 4.1.3 The Leader and the Executive Member for Regeneration, Transport and Planning have both been briefed and are supportive of the ELOR scheme, whilst Ward Members for Crossgates and Whinmoor and Harewood, the two wards the ELE covers, have received regular updates on the East Leeds Extension and ELOR.
- 4.1.4 Ward Members for Crossgates and Whinmoor and Temple Newsam, in which wards Thorpe Park is located have been advised that this report is being brought forward and where verbal briefings have been requested Members have expressed support for the approach being taken towards securing the outcomes set out.

4.2 **Equality and diversity / cohesion and integration**

- 4.2.1 An EDCI screening for the proposals in this report is provided at Appendix 2 and whilst recognising the need to consider human rights, this indicates that the issues set out in this report are unlikely to have equality, diversity/cohesion and integration impacts and that there is no need for a full assessment at this stage. However this will be kept under review throughout the promotion and implementation of the ELOR, to ensure that any EDCI impacts arising can be measured and mitigated against.

4.3 **Council policies and best council plan**

- 4.3.1 The East Leeds Extension will play a major role in delivering the housing required to meet the Core Strategy and will assist in the delivery of the Best Council Plan ambition for a Strong Economy and Compassionate City and the outcomes it seeks to achieve regarding delivery of good quality, affordable homes, well cared for places and a well-planned city which is easy to move around. Delivery of ELOR and its enabling role in development of the ELE and further development being undertaken at Thorpe Park will provide much needed new homes, meeting housing needs as the city grows, together with commercial development to boost the local economy, deliver new social and physical infrastructure and improve travel and access to new employment opportunities.
- 4.3.2 The delivery of the ELE will also assist in delivering the wider objectives of the Best Council Plan and the Best City ambition for Leeds to support communities, build a child friendly city, deliver the better lives programme, enable positive public health outcomes, ensure that development is sustainable and that the Council acts in ways that reflect the need to be more efficient and enterprising.

4.4 **Resources and value for money**

- 4.4.1 The funding of the transaction will be met initially through the injection into the Capital Programme that was approved by Executive Board in June 2017 and the Council will seek to draw down funds from the WYTF Agreement to meet the costs associated with the agreed terms.

- 4.4.2 The Parent Capital Scheme number is 16747 Title: EAST LEEDS ORBITAL ROAD (ELOR)
- 4.4.3 Grant funding for the East Leeds Transport package will be obtained through the West Yorkshire Transport Fund. A grant agreement has now been entered into for £82.983m, which will fully fund the junction and improvement works to the A6120 Outer Ring Road and partly fund the ELOR project. The grant will be fully approved following completion of all stages of the WYCA project approval process, which will be dependent upon all statutory approvals.
- 4.4.4 As the full grant is not sufficient to cover the full expected costs of ELOR (construction and fees), the Council agreed to fund the difference between this and the full capital scheme costs. The current forecast borrowing requirement to fund the gap in costs is £43.68m, but the actual costs for all elements of the East Leeds Transport Package will not be known until detailed engineering designs, tendering and contract delivery takes place. So, while there is a current forecast borrowing requirement for the Council, the exact amount cannot be confirmed and there is a need to retain some flexibility in the borrowing approval.
- 4.4.5 WYCA has confirmed that the initial grant can be used to fund the costs of promoting the CPO and SRO and any acquisitions arising from these as well as the cost of acquisitions by negotiation. This funding can be drawn down in advance of the final full approval for the ELOR scheme, at the Council's risk of repayment to WYCA should the scheme not proceed.
- 4.4.6 The principle risk is in relation to those parties with development land who will benefit from the delivery of the road and that agreements cannot be reached with them to transfer land at nil consideration. However the agreement with SGI makes a significant step forward to achieve both the delivery of ELOR and to secure the transfer of land for the delivery of ELOR.
- 4.4.7 Executive Board in June 2017 approved that the full estimated cost of the scheme of £126.63m is injected into the Capital Programme and that Authority to Spend is delegated to the Director of City Development in consultation with the Chief Officer Financial Services so that as the scheme estimate and cost profile matures, the Council is in a position to react flexibly and efficiently to undertake the necessary borrowing to supplement the full WYTF grant, to procure and let the construction contract or contracts for the East Leeds Transport Package and to enable the scheme implementation in the context of the Medium Term Financial Plan.
- 4.4.8 Funding for the terms set out in the Exempt Appendix will therefore be secured from the above injection.

4.5 Legal implications, access to information, and call-in

- 4.5.1 Legal advice has been taken on negotiating with SGI in respect of the Land Agreement that was entered into in 2013. Confirmation has been received that the proposal set out in the Exempt Appendix 3 represents the best and viable solution to secure the delivery of ELOR.
- 4.5.2 The information contained in the Exempt Appendix 3 relates to the financial or business affairs of particular people, and of the Council. It is considered that the release of such information would or would be likely to prejudice the Council's

commercial interests in relation to potential transactions and it is therefore considered that this element of the report should be treated as exempt under Rule 10.4(3) of the Access to Information Procedure Rules.

4.5.3 This report is subject to call-in.

4.6 Risk management

4.6.1 The Council has appointed a firm of external RICS surveyors to support the Council in undertaking negotiation and valuation of land to be acquired on a CPO basis.

4.6.2 They have provided the Council with professional valuation advice to confirm that the transaction as set out in the Exempt Appendix 3 is considered to be reasonable and that the terms agreed represent value for money for the interest that is being acquired to facilitate the construction of ELOR.

4.6.3 They have concluded that the terms agreed comply with the CPO compensation code in terms of the acquisition of this particular property interest.

4.6.4 From a risk management perspective the agreement helps bring forward further land for the delivery of ELOR by unlocking the transfer of significant areas of third party land at nil or nominal value and without this agreement being in place the whole scheme could be at risk of not being delivered.

5 Conclusions

5.1 The ELOR scheme is a major investment in the city's infrastructure that will play a critical role in unlocking the development of the East Leeds Extension and supporting the growth of a wider area of East Leeds.

5.2 The terms agreed facilitate a significant step forward in terms of securing the necessary land for the delivery of ELOR.

5.3 Executive Board is asked to consider and approve the recommendations to enable this project to proceed towards delivery at the earliest opportunity.

6 Recommendations

6.1 Executive Board is recommended to:

- i. Agree the terms as set out in the Exempt Appendix 3 in respect of the Land Agreement with Scarborough Group International/Thorpe Park Developments Limited.
- ii. Agree that the costs associated with the financial settlement are injected into the Council's Capital Programme with funding in part to come from the WYTF Grant, and that Authority to Spend following the injection of funds into the Capital Programme by the Executive Board is delegated to the Director of City Development, in consultation with the Chief Officer Financial Services to complete the transaction;

- iii. Agree that in the event that there are any variations to the terms as set out in the Exempt Appendix 3, these are delegated to the Director of City Development in consultation with the Chief Officer Financial Services and Executive Member for Regeneration, Transport and Planning to approve.

7.0 Background documents¹

- 7.1 GVA report – this has been designated as exempt under Access to Information Procedure Rule 10.4(3).
- 7.2 Counsel opinion – this has been designated as exempt under Access to Information Procedure Rules 10.4(3) and 10.4(5).

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.