



**The Appendix of this report is Exempt/Confidential under  
Access to Information Procedure Rules 10.4 ( 3 )**

**Report of : Chief Asset Management Officer**

**To : Executive Board:**

**Date: 16 APRIL 2008**

**Subject: PROPOSED ASSEMBLY OF LAND AT ELLAND ROAD LEEDS**

**Electoral Wards Affected:**

**BEESTON & HOLBECK**



Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In



Not Eligible for Call In

(Details contained in the report)



**Executive Summary**

The purpose of this report is for the Executive Board to approve the principle of the acquisition of land to facilitate the regeneration of the greater site at Elland Road.

The Executive Board on 11 September 2007 approved an Informal Planning Statement that was presented as a guide to the future development proposals for the Elland Road site. In order to deliver a comprehensive redevelopment of the land around Elland Road it is considered appropriate that the Executive Board gives approval to the principle of the acquisition of land so that the site can be assembled.

The open part of the report sets out the background to the ownership of land at Elland Road and a separate confidential report included on this agenda details discussions that have taken place with some of the landowners and sets out the various options to the Council for the acquisition of land.

## **1.0 Purpose of the Report**

1.1 The purpose of the report is to:-

- Advise the Executive Board in respect of the development/regeneration opportunities at Elland Road.
- Seek the Executive Board's approval to entering into negotiations for the acquisition of land at Elland Road by agreement and, in principal, support the use of Compulsory Purchase Powers if the acquisition by agreement is not successful.

## **2.0 Background Information**

2.1 Executive Board will recall that at the meeting held on 14 March 2007, Members considered a draft Masterplan proposal for land in the vicinity of Elland Road and resolved that:

- The Director of City Development be authorised to procure consultants to undertake a preliminary public consultation on the draft masterplan proposals that were attached to the March 2007 report.
- The Director of City Development be authorised to develop an Informal Planning Statement for the site, taking account of the outcome of the public consultation exercise.
- A report be brought back to this Board with a revised masterplan/planning statement, prior to inviting bids from the developers for their arena proposals.

2.2 A further report was taken to 11 September 2007 Executive Board meeting on the outcome of the public consultation on the development proposals for the Elland Road site, presenting a proposed Informal Planning Statement as a guide to the future development proposals and an initial proposal for progress. The Executive Board on 11 September 2007 resolved:

- That the outcome of the public consultation process on the development proposals for the Elland Road site be noted.
- That the Informal Planning Statement presented as a guide to future development proposals for the Elland Road site be approved and note that it may be necessary to review the content of the Informal Planning Statement dependent upon the outcome of the major leisure interest shown in the site.
- That the exploration of the potential and implications for the provision of a park and ride facility on the site be approved.
- That in principle the sale of the former Greyhound Stadium site at open market value to the West Yorkshire Police Authority as a site for their new Divisional HQ, subject to the final terms being agreed by the Director of Development be approved.
- That a proportion of the receipt from the Greyhound Stadium site and others arising from the Council disposals in the area covered by the Informal Planning

Statement may be required to facilitate the reconfiguration of car parking and the implementation of any infrastructure proposals required to facilitate the comprehensive redevelopment of the Elland Road site be noted.

- 2.3 Members will recall that as a result of the consultation process it was identified that there is a desire both locally and city wide for a development of Elland Road which improves the quality of the local environment and brings economic regenerative benefits to the local area. However, any development proposals brought forward must address a number of issues currently faced by local residents in the area. Critically, the impact of car travel on football match days needs to be reduced, which may require measures to achieve a modal shift which improves the attractiveness of public transport. In addition, the need for environmental management would also have to be key components of any development proposals that resulted in the site being integrated into every day use by local people as well as visitors.
- 2.4 The outcome of this process produced the Informal Planning Statement that was approved by the Executive Board on 11 September 2007.
- 2.5 The planning statement that was approved included the key aim of providing a coherent approach to facilitating the development of this site in accordance with the aspirations set out in the adopted Unitary Development Plan under Policy LT5A. From a planning perspective, it is vital that the development does not take place in an incremental and piecemeal manner and that the opportunity to integrate future development into the local community, contributing to wider regeneration objectives is not overlooked.
- 2.6 Government policy is now clearly aimed at putting Urban Renaissance at the heart of tackling urban decline. A more holistic approach to regeneration is called for, reflecting the importance of social and economic interventions as much as physical. This is reflected in the Council's Corporate Plan and Regeneration Plan.
- 2.7 Beeston Hill and Holbeck is one of the most deprived areas in the country. Consequently, it is one of the Council's priorities in terms of Renaissance Leeds. A Land Use Framework (LUF) for Beeston Hill and Holbeck was adopted as SPG in 2005. This established a series of regeneration principles, aspirations and community priorities. Regeneration plans are currently being prepared to support the LUF. These action plans provide achievable targets for the regeneration of their areas. Elland Road is located at the edge of the defined area, but offers major benefits to the wider community in terms of jobs, social inclusion and connectivity to the City Centre, as well as physical and environmental improvements. It is also a destination location with the prominence of the football stadium and the need to ensure that opportunities to enable the stadium to expand are reflected in the Informal Planning Statement
- 2.8 The planning statement was guided by the adopted UDP policy for the Elland Road site (LT5A) which describes the types of 'leisure and tourism' uses which were anticipated when the policy was prepared. However, it avoids being overly prescriptive, and deliberately incorporates the necessary flexibility to allow the site to come forward for a range of development proposals. This is because any scheme must be deliverable and there are a number of development options, depending upon whether the site is eventually selected as a preferred site for an arena and/or a casino.

- 2.9 As stated, the existing UDP planning policy for the site allows for large scale leisure or tourism proposals which would enhance the regional and national role of the city, together with a range of uses which are ancillary to such primary uses and which could, in addition, enhance the facilities available to the local community. This limits the opportunities for development of the site to a select number of development options and uses. As an example, the proposed police headquarters on the former greyhound stadium would require advertising as a departure from adopted policy should the Council be minded to approve a planning application. The same would apply to any residential use within the LT5A boundary. However, the planning statement clearly indicates the Council's willingness to consider uses and proposals beyond the scope of existing planning policy to encourage redevelopment of this site for the wider well being of the locality and city.
- 2.10 The approved Informal Planning Statement has regard to Planning Policy Guidance and the need for a sustainable transport solution for the site. The site provides a potentially valuable opportunity to create a park and ride facility combined with potential improved bus links to the city centre. This in turn could provide improved access both to the football stadium and other potential uses on the site.
- 2.11 One of the proposals outlined in the Informal Planning Statement is to minimise the impact of generated traffic for existing residents and businesses in the vicinity of the redevelopment area in particular those fronting onto Elland Road, together with parking for up to 2750 car spaces. In order to achieve this, an enhancement would be required to the existing public transport interchange together with a new road being created around the north side of the football stadium reducing the impact of car usage on the existing Elland Road. Discussions have previously taken place with WYPTE who were involved as a contributor to the development of the Informal Planning Statement. Ongoing discussions would take place with WYPTE in respect of facilitating a new public transport interchange as part of a comprehensive development on the site. In addition further consideration would need to be given to the potential use of any new car park as a potential park and ride facility.
- 2.12 The Informal Planning Statement that was approved by Executive Board on 11 September 2007 stated:-

"Given the complexities of land ownership and the Council's determination to bring about a comprehensive scheme for this important site in a reasonable timescale, the planning statement states that the use of compulsory purchase to assemble land will be considered".

### **3.0 Main Issues**

- 3.1 As mentioned above, land assembly is an integral part of ensuring that a comprehensive development is achieved. It might be possible for the Council to assemble parts of the site currently not in its ownership through one to one negotiations as such opportunities arise, however as the Informal Planning Statement has identified, it may be necessary to consider the use of compulsory purchase powers to assemble the land. Detailed information is contained in the confidential report regarding the current position in respect of discussions with adjoining landowners.
- 3.2 In respect of the land ownership at Elland Road, from the plan shown at appendix 1, it can be seen that the City Council is the major landowner at Elland Road. With the exception of the Elland Road Football Stadium there are only 3 other freehold

owners, two leasehold interests that are held on leases from the Council and a number of sub tenants which are subject to a head lease.

3.3 The freehold interests other than those owned by the Council are:

1. Site F – A small portion of this site is owned freehold by a third party commercial interest although the majority of the site totalling 0.50 hectares (1.57 acres) is owned by the Council.
2. Site I – 2.83 hectares (7.0 acres) owned by the Castle Family. Currently vacant.
3. Site J – 0.92 hectares (2.29 acres) owned by West Yorkshire Passenger Transport Executive (WYPTE) and currently used as a bus terminus for match days.

The leasehold interests on Council land comprise:

1. Site F – The site is subject to an 85 year lease from 1962 and is currently occupied by LUAFC and used as a conference facility.
2. Site G – 0.35 hectares (0.86 acres) subject to a 125 year ground lease to Eskmuir Properties Limited from 1982 and further subject to 4 sub tenancies. The site is used as a terrace of 4 industrial units with ancillary car parking.

3.4 Although discussions have taken place with some of the landowners, at this stage it does not look as though the Council will be able to acquire all the land by agreement in order to be able to deliver a comprehensive regeneration package for the area.

3.5 As the process for bringing the site forward for redevelopment can be extensive and in light of the various ownerships (albeit the Council owns the majority of the land) the Executive Board is now requested to approve the basis on which the Council should enter into negotiations for the acquisition of land at Elland Road. The various options for the acquisition of land are outlined in the confidential report that is to be considered as part of the agenda.

#### **4.0 Implications for Council Policy and Governance**

4.1 The area around Elland Road has remained undeveloped for many years and the land owned by the Council has mainly been used as match day car parking with the occasional fair. The comprehensive redevelopment of the site would provide the opportunity to add to the regeneration proposals in this area of Leeds and create a substantial investment into this part of Leeds. The regeneration of this area of Leeds would assist with the Council's objectives to go up a league, create new job opportunities, together with closing the gap.

#### **5.0 Legal and Resource Implications**

5.1 In respect of the strategies available to the Council for assembling land at Elland Road, these are outlined in the confidential part of the report.

5.2 For the purposes of rule 10.4.3 of the Council's Access to Information procedural rules, the information contained in the confidential part of this report relates to the

financial or business affairs of particular person, and of the Council. This information is not publicly available from Statutory registers of information kept in respect of certain companies and charities.

To release full details of all of these matters into the public domain would almost certainly prejudice landowners and the Council's commercial interests as there may be interventions by rival parties at this stage of the land assembly process. In addition, these kind of interventions would lead to serious prejudice to the Council's commercial interests and could damage the process of negotiations with the owners.

5.3 In relation to the public interest test the Elland Road project is a major project with very significant regeneration benefits for Leeds and naturally there is a strong public interest in the public knowing what the regeneration proposals are and how they will be carried out. For these reasons it recommended that as much information about Elland Road proposals is put into the public domain. To date, there have been a number of open reports to the Executive Board on the Elland Road area and in particular the Executive Board's approval to the Informal Planning Statement as an open document on 11 September 2007.

5.4 There is a need for the comprehensive regeneration of this area, and it is considered, that needs must, at this point in time outweigh the need for complete disclosure about the whole of these arrangements in respect of the various options for the acquisition of land at Elland Road. Consequently, it is considered that in all the circumstances of the case, the public interest in maintaining the exemption mentioned above outweigh the public interest in disclosing the information in the confidential part of the report.

## **6.0 Recommendation**

6.1 In the light of the content of this report together with the information contained in the confidential report in this agenda it is recommended that the Executive Board approve the principle of the Council acquiring land either by one to one negotiations or entering into partnership agreements for the land around the Elland Road Area and, in principle, and subject to a more detailed report back, support the use of Compulsory Purchase Powers if the acquisition of land by such agreements is not successful.