



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 July 2008**

**Subject: PROPOSED ACQUISITION OF LAND AT LOWFIELDS 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 to seek approval from Executive Board for the acquisition of land off Lowfields Road to the rear of Elland Road Football Ground and currently in private ownership.

Executive Board on 11 September 2007<sup>1</sup> approved an Informal Planning Statement that was presented as a guide to the future development proposals for the Elland Road area. In addition, Executive Board on 16 April 2008<sup>2</sup> approved the principle of the Council acquiring land either by way of one to one negotiations or the entering into partnership agreements, for the land around the Elland Road area, and in principle, and subject to a more detailed report back, supported the use of compulsory purchase powers if the acquisition of land by such agreements was not successful.

In order to deliver a Comprehensive redevelopment of the land around Elland Road, it is considered appropriate that Executive Board gives approval to the principle of the acquisition of this land so that the site can be assembled.

## **1.0 Purpose of This Report**

1.1 The purpose of this report is to:-

- i) Advise Members of an opportunity which has arisen to acquire land off Lowfields Road, to the rear of Elland Road Football Ground.
- ii) To seek approval to the terms of the acquisition.

## **2.0 Background Information**

2.1 In terms of the Council acquiring land at Elland Road there are a number of methods by which the Council could assemble the private land interests:-

- i) By one to one negotiations.
- ii) By entering into partnership agreement with adjoining landowners to include their land within any comprehensive redevelopment proposals.
- iii) To use Compulsory Purchase Powers.

2.2 Executive Board on 16 April 2008<sup>2</sup> approved the principle of the Council assembling land in the Elland Road area, and supported the use of Compulsory Purchase Powers, if the acquisition of land by way of the above methods detailed in 2.1(i) and 2.1 (ii) was not successful.

2.3 An opportunity has now arisen for the Council to acquire land off Lowfields Road, currently in private ownership, by agreement, and the mechanism proposed, together with the provisionally agreed Heads of Terms are detailed in the confidential appendix annexed to this report.

2.4 This report is marked as Exempt for Call In on the basis that the Council took the decision on 16 April 2008 to acquire land at Elland Road by agreement and partnership arrangements, subject to a more detailed report back, and support the use of compulsory purchase powers, if the acquisition of land by such methods was not successful. This decision determined by Executive Board was subject to the Council's call in procedures. The recommendations contained in this report are consistent with the decision made by Executive Board on 16 April 2008.

## **3.0 MAIN ISSUES**

3.1 As mentioned above, land assembly is an integral part of ensuring that comprehensive regeneration is achieved. Executive Board were previously advised on 16 April 2008 that it might be possible for the Council to assemble parts of the site which are not in its ownership, through one to one negotiations as such opportunities arose. This report is to further advise Members of one such opportunity, regarding the requirement to resort to compulsory purchase in order to acquire the land.

3.2 As the process for bringing the site forward for redevelopment can be extensive, and in the light of the various ownerships (albeit the Council owns the majority of the land), Executive Board is now requested to approve the basis upon which the Council are proposing to acquire this land together with the provisionally agreed Heads of Terms, which are detailed in the confidential appendix annexed to this report.

## **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 substantial investment in 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 The strategies available to the Council for assembling land at Elland Road, are outlined in 2.1 above and further detailed in the confidential appendix attached to this report.

5.2 For the purposes of rule 10.4.3 of the Council's Access to Information procedure 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 regeneration 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 and Executive Board's approval on 16 April 2008, to the principle of the Council acquiring land by agreement or by way of partnership agreements, and to support the use of CPO powers, if land acquisition by the above means is not successful.

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 outweighs the public interest in disclosing the information in the confidential part of the report.

## **6.0 RECOMMENDATION**

6.1 In light of the content of this report, together with the information contained in the confidential appendix to this report, members are asked to approve the recommendations detailed in the confidential appendix.

### **Footnote**

1. Report to Executive Board on 11 September 2007 seeking approval to an informal planning statement that was presented as a guide to the future development proposals to the Elland Road site.
2. Report to Executive Board on 16 April 2008 seeking approval to the principle of the Council acquiring land at Elland Road by negotiation or partnership agreements, and to support the use of CPO powers if acquisition of land by the above methods is not successful.