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# SUPPLEMENTARY AGENDA

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## CABINET

TUESDAY, 5 OCTOBER 2021 AT 11AM

COUNCIL CHAMBER - THE GUILDHALL

Telephone enquiries to Jane Di Dino 023 9283 4060

Email: Democratic@portsmouthcc.gov.uk

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## Membership

Councillor Gerald Vernon-Jackson CBE (Chair)

Councillor Suzy Horton (Vice-Chair)

Councillor Chris Attwell

Councillor Dave Ashmore

Councillor Kimberly Barrett

Councillor Ben Dowling

Councillor Jason Fazackarley

Councillor Hugh Mason

Councillor Darren Sanders

Councillor Lynne Stagg

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(NB This supplementary agenda should be retained for future reference with the main agenda and minutes of this meeting).

## SUPPLEMENTARY AGENDA

- 18 **Regeneration of New Landport & Landport Gate (part thereof)  
Compulsory Purchase Order resolution (Pages 3 - 34)**

The enclosed report that was originally marked to follow was published on 1 October 2021.

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<b>Title of meeting:</b>	Cabinet & Full Council
<b>Date of meeting:</b>	Cabinet 5 <sup>th</sup> October 2021 & Full Council 13th October 2021
<b>Subject:</b>	Regeneration of the City Centre (part thereof) compulsory purchase order resolution report
<b>Report by:</b>	Tristan Samuels - Director of Regeneration
<b>Wards affected:</b>	Charles Dickens
<b>Key decision:</b>	Yes
<b>Full Council decision:</b>	No

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## 1. Purpose of report

- 1.1 This report sets out the important role the city centre plays in accommodating the growth needs of the city.
- 1.2 The city centre has for many years been a Council priority, defined in the current and emerging local plans as an area of housing and economic growth with the areas of New Landport and Landport Gate identified for regeneration and redevelopment. This paper talks to an opportunity for the Council to bring a substantial site together to plan, enable and progress the regeneration of this important area in the City.
- 1.3 This report provides an update to Cabinet as to the progress to develop the site of the original projects known as Northern Quarter and West of Commercial Road (Commercial Road shopping area and North of Market Way) and seeks approval of a series of recommendations to progress delivery of an extended City Centre Regeneration project also known as New Landport.

## 2. Recommendations

The Cabinet is recommended to:

- 2.1. Approve the land assembly strategy for this City centre regeneration project as attached at Appendix 1.
- 2.2. Delegate authority to the Director of Regeneration and S151 Officer on the advice of the City Solicitor in consultation with the Leader to:-

2.2.1. Negotiate and complete acquisitions of legal interests, on the basis of the statutory Compulsory Purchase Order (CPO) Compensation Code, in land required for the delivery of the City Centre Regeneration scheme.

2.2.2. To procure and appoint specialist advisers for:

- Land referencing Agents
- Specialist compulsory purchase surveyors

2.2.3. To approve the progress of all work necessary to establish a case for compulsory purchase of land required for the City Centre Regeneration scheme.

2.2.4. To approve, in principle, the use of compulsory purchase powers for the acquisition of land to deliver the City Centre Regeneration scheme (indicatively shown in red on the attached plan at Appendix 2) and note that the making of any compulsory purchase order will be subject to a further report to Cabinet confirming that the criteria in paragraph 3.22 have been met.

2.3. Cabinet are asked to note that the redline area shown on the plan (Appendix 2) is currently widely drawn around the entire City Centre Regeneration scheme application site area. It is not anticipated that all land/interests including the two churches *St. Agatha's* and *All Saints*, as shown will need to be acquired to deliver the scheme however, a degree of flexibility prior to detailed technical approval of the scheme and its mitigation, is required at this stage. Officers will take all reasonable measures to minimise the need to acquire third party interests in accordance with CPO Guidance and the existing design approach to the scheme.

2.4. Cabinet are asked to note that Officers will need to seek a future resolution to grant the Director of Regeneration and the City Solicitor authority, in accordance with section 122 of the Local Government Act 1972, to declare that any land acquired or held and required for the delivery of the City Centre Regeneration scheme may, where they conclude that it is no longer needed for its present purpose, appropriate the land for such statutory purpose as necessary to deliver the City Centre Regeneration scheme, and to authorise the overriding of such easements, rights, or other adverse matters burdening the land, where that is needed to deliver the scheme, in reliance on section 203 of the Housing and Planning Act 2016.

2.5. Delegate authority to the Director of Regeneration and S151 Officer on the advice of the City Solicitor in consultation with the Leader to acquire the Delancey assets for a consideration to be disclosed to group leaders in a confidential briefing by the Chief Executive.

That Cabinet recommends to the City Council that;

2.6. Authority is delegated to the Director of Finance and Section 151 Officer in consultation with the Leader of the Council, to amend the Corporate Capital Programme to fund the acquisition of the Delancey assets from unsupported borrowing in 2021/22.

### 3. Background

- 3.1. The Portsmouth Plan was adopted in January 2012 (the Local Plan), and a Supplementary Planning Document (SDP) in January 2013 adopted which specifically covers the City Centre Masterplan. The aim of the Local Plan is to provide a positive planning framework for the successful regeneration the city. A main element of the development strategy of the Local Plan & SDP is to locate additional development at key development sites within the city centre, with the aim of contributing to the vision of the City's sustainable Community strategy
- 3.2. Within the emerging 2021 local plan, currently approved for Regulation 18 consultation, Portsmouth's City Centre is recognised as a centre of importance for new development in the city and in the sub-region. Given this recognition the Council is committed to the regeneration of the City Centre to create a thriving, attractive, and vibrant environment for its residents, businesses and visitors.
- 3.3. As part of the emerging 2021 local plan consultation, the **City Centre Development Strategy (CCDS)**, a masterplan covering the City Centre area has been developed on behalf of the Council. The CCDS sets out a vision and spatial plan for the City Centre, proposing the type of place it should and could become, the types of development which will be sought in the City Centre and the place-making opportunities which may be possible.
- 3.4. **Portsmouth City Centre Vision** (taken from the CCDS): *"Every great city has a heart. Portsmouth city centre will continue to be that heart of the city, and will be a beautiful, durable and adaptable place - more compact, more diverse, easier to get around, greener and healthier, and looked after by its happy residents"*.
- 3.5. The future city centre will combine its proud heritage with a pride in its renewal. This will be underpinned by steps to transform the area with a renewed and sustained emphasis on the public realm, as a civilised, attractive, welcoming and open city environment.
- 3.6. The CCDS has identified five distinct identity areas, with opportunities for types of uses, public space and urban realm and unique design identity.
- 3.7. The identity areas are defined in the above map; from north to south the areas are as follows (with suggested area names as working titles from the CCDS which will be consulted on):
  - Herbert Street/Victory Retail Park ('Landport Gate')
  - City Centre North ('New Landport')
  - Commercial Road/Arundel Street area ('Paradise')
  - Portsmouth and Southsea Station area ('Work-station')
  - The Guildhall & Victoria Park area ('Guildhall & Victoria')

- 3.8. New Landport (City Centre North) comprises the area south of the vacant former ABC cinema site, down to the former Sainsbury's supermarket site and the Marketway car park (former Tricorn site). Much of the land within this area is underutilised. The area has great potential to be a vibrant neighbourhood; with potential for additional new residential and mixed use development and as a location for civic and commercial uses. There is also potential for a new public square or other improved public realm areas to provide another key focal space for the City Centre.
- 3.9. To enable the development of New Landport the transport infrastructure in the City Centre will need to improve the connectivity to and around the city centre, focusing on air quality improvements, public transport and active travel options that will improve health outcomes for local people whilst not hurting the economic prospects of the high street. The vision for the new City Centre infrastructure is inline with the council **Local Transport Plan 4 (LTP4)** and seeks support all road users whilst enable a shift towards sustainable transport options. The new project would be encouraged to include landscaping and design strategies which will create a high quality, pleasant and safe environment which in turn will increase its appeal to shoppers and investors and so increase the competitiveness of the city centre.
- 3.10. The CCDS has identified a potential delivery capacity for the city centre, with upper and lower range scenarios depending on the type and mix of development options pursued. Both scenarios reflect what is considered the city centre's maximum capacity, assuming that all identified areas will come forward, this gives an indicative capacity in the region of 5,183 - 6,128 new homes and 77,100 to 88,300sq m of commercial, leisure, community and health uses. The majority of this is expected to be delivered during the plan period.
- 3.11. Negotiations with Delancey, a major land holder in the city for a joint venture (JV) were halted in April 2021, when it was agreed that the intent set out in the previous Heads of Terms to partner was no longer deliverable and by mutual consent both parties have agreed not to proceed with the JV. The landowner has invited the council to negotiate the acquisition of all their interests which will allow them to exit the city and focus on other business. Acquiring these assets in advance of a CPO will reduce overall expenditure by avoiding costs associated with the CPO process.
- 3.12. Whilst discussions to purchase have progressed, there is the possibility that these may stall, and the Council may have to rely on compulsory purchase powers and in these circumstances it is considered good practice to bring the CPO forward in parallel with other development work streams to ensure the development moves as fast as possible for the benefit of the city. A delegation to enable a CPO should it be required will facilitate negotiations and ensure a conclusion if an impasse is reached.

#### Land Assembly

- 3.13. Negotiations have commenced to secure the property interests of the major land holder within the proposed area. Meanwhile although progress has been made in acquisitions that will be necessary to deliver the New Landport scheme, land assembly remains a critical risk for the delivery of the project.

- 3.14. The redevelopment of the former Sainsburys site in isolation is physically possible but to maximise the benefits of regenerating the area any new development should be extended across land that is not in the ownership of the Council and without this, the objectives of the CCDS cannot be met nor the wider regeneration aspirations for the area.
- 3.15. The Council has already identified the principle landowners across the area and has commenced discussions with them regarding the acquisition of land required to deliver the New Landport proposals. The Council already owns significant land holdings that will be needed for the proposed scheme, and wherever possible the scheme uses land already acquired under previous plans to regenerate the area.
- 3.16. Regeneration will be delivered in a phased manner and as such the land assembly programme will need to follow suite. The consideration of the potential need to use powers of compulsory acquisition is considered to be an essential backstop, to facilitate delivery of the scheme in line with the Council's intended programme.
- 3.17. Not all land and property interests that may be affected by the scheme are immediately identifiable, even with reference to information at the land registry. Officers are therefore proposing the appointment and use of land referencing services, through which it will establish a comprehensive log of all land and property interests - these will include all freeholds, leaseholds, tenancies, easements, rights, and any other legal interests that may need to be acquired for delivery of the scheme. The outcome of the land referencing exercise will show all the relevant parties that the Council will need to enter into negotiations for the acquisition of their interests. It will also identify where there is land in unknown ownership which can only be acquired through compulsory purchase.
- 3.18. Whilst it is anticipated that further progress can be made on the negotiated approach for some parcels of land and legal interests it is good practice and appropriate to consider the use of compulsory purchase powers.
- 3.19. The government recognises in its "*Guidance on Compulsory Purchase*" dated July 2019, ([CPO guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/818247/cpo-guidance-2019.pdf)), that if acquiring authorities wait for negotiations to break down, this can have detrimental impacts on the timing of delivery of public projects. Therefore, depending on when the land is required, the guidance considers it sensible for an acquiring authority to:
- plan a compulsory purchase as a contingency measure; and
  - initiate formal procedures
- 3.20. Importantly, the CPO Guidance expressly recognises that such steps "*...help to make the seriousness of the authority's intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations*".
- 3.21. The CPO Guidance requires acquiring authorities to attempt to acquire land by agreement before embarking on the CPO process, although it is recognised that for schemes involving the acquisition of the number of interests, it is sensible to run the

CPO process in parallel with ongoing negotiations.

3.22. This report seeks members support for a resolution 'in principle' for the use of compulsory purchase powers to assemble the City Centre Regeneration scheme site, should all reasonable attempts to acquire the necessary land and interests fail. As the guidance makes clear, use of compulsory purchase powers is intended as a 'last resort'. Officers acknowledge that any decision to proceed to make a CPO will be subject to a further report to Cabinet to confirm the following:

- that there was a compelling case in the public interest for the use of compulsory purchase powers;
- that there were no planning, funding or other legal impediments to the City Centre Regeneration being delivered,
- that reasonable attempts to acquire all interests by agreement have been made but not all have been successful;
- considering any interference with the human rights of those with an interest in the land affected; and
- reporting on the results of an assessment of the impacts on residents, visitors and employees to be measured and evaluated, with special focus on the likely effect of the proposals on those sharing protected characteristic (race, pregnancy, age, disability, gender reassignment, marriage/civil partnerships, religion/belief, sex, sexual orientation (as defined by the Equality Act 2010)), in order for the Council to fully understand those impacts, and to consider measures to mitigate impact, make reasonable adjustment, and foster good relations between those sharing protected characteristics, and those who do not.

3.23. The main benefit of the use of compulsory purchase is the certainty of being able to obtain vacant possession to a planned programme. This is absolutely vital in order give the Council confidence that the scheme will be delivered. The use of compulsory purchase also provides a level of certainty on project programming which in turn would allow the Council to enter into commercially sound construction contracts. This is because, once the CPO is confirmed and the legal challenge period has passed, the Order can be implemented and a date for vacant possession fixed in accordance with the project programme.

3.24. A resolution approving the 'in principle' use of compulsory purchase powers at this stage in the process, will demonstrate the Council's commitment to the timely delivery of the City Centre Regeneration and its related benefits.

3.25. The Council has appointed Pinsent Masons, a leading law firm to advise on all legal aspects of the City Centre Regeneration scheme and a land assembly strategy has been developed which includes advice on CPO. Legally privileged and confidential advice prepared by Pinsent Masons is attached to this report at appendix 4 (this is an exempt confidential appendix). Should the Council seek to progress a CPO, it will have regard to the advice set out in the CPO Guidance and the advice of its appointed legal advisors.

3.26. The key target dates for the City Centre Regeneration scheme are:



- Planning application submission - March 2022
- Land referencing - Starting December 2021
- Preparatory CPO work (including engagement with landowners) - In hand
- Target planning application determination - March 2023
- Construction commences - March 2024

#### **4. Reasons for recommendations**

- 4.1 The main body of the report gives specific details to the background of the recommendations all of which are considered by officers as important to ensure the timely delivery of the City Centre Road scheme and its associated regeneration benefits.

#### **5. Integrated impact assessment**

- 5.1 An integrated impact assessment has been completed and is attached at appendix 3.

#### **6. Legal comments**

- 6.1 The making of a CPO follows the statutory process set down in the Acquisition of Land Act 1981 (as amended). There are a number of compulsory purchase powers available to the Council. External legal advice is to be sought and reviewed in line with the council internal policy to ascertain the most appropriate power for the purpose of assembling the site. This process will be carried out alongside obtaining the details to the land to be acquired and the development proposed to be undertaken on that land.

There are a range of statutory powers the council can utilise (subject to secretary of state approval in some instances). However, these are precise and distinct to the specific land requirements - which, as detailed in this report are not fully clear in terms of necessary due diligence. Full details as to the matters and specifics of the development are yet to be fully determined and therefore the suggested route forward (legally), cannot be set out. These are to be discussed and formulated with the City Solicitor

- 6.2 Subject to authorisation by the Secretary of State, the Council has the power under section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) to acquire compulsorily land in its area to facilitate the carrying out of development, re-development or improvement on or in relation to the land, provided that the Council thinks that the development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objectives: the promotion or improvement of the economic well-being of the area; the promotion or improvement of the environmental well-being of the area; the promotion or improvement of the

social well-being of the area. Alternatively - sections of the Highways Act 1980 offer principal powers for acquisition of the land for the construction of new highways and the improvement of existing.

6.4 Note in all cases the compensation payable must be in accordance with the Compulsory Purchase Compensation Code.

## **7. Director of Finance's comments**

7.1 The total cost of enabling the new City Centre Regeneration land acquisition costs for the scheme (but excluding any development costs and acquisitions to date), is not yet known but is likely to be significant. Before any acquisition of land is considered the Council will financially appraise the cost of acquisition, the likely holding costs, meanwhile use cost and income and ultimately the value of development on each acquisition.

7.2 Acquisitions will only be made if:

- overall value for money can be demonstrated.
- an appropriate funding source is identified.
- a business case approved by the S151 Officer has been prepared.

7.3 Such an approach will ensure that only necessary costs are incurred prior to the scheme achieving full funding.

7.4 The cost to procure the services of specialist consultants as detailed in the report will be met from the Redevelopment of the City Centre scheme in the Council's already approved Capital Programme.

7.5 The report from Cabinet recommends that the Council's Capital Programme is amended so that Unsupported Borrowing can be used to acquire the sites. Any amendments to the Capital Programme must be approved by Full Council and the recommendations within this report acknowledge that.

.....  
Signed by:

### **Appendices:**

Appendix 1 - Land Assembly Strategy

Appendix 2 - Red line plan for CPO

Appendix 3 - Integrated Impact Assessment

Appendix 4 - Exempt: Confidential advice note from Pinsent Masons (exempt for publication, s100A of the Local Government Act 1982 Schedule 12A, paragraph 3)

Appendix 5 - Exempt: Redacted offer letter to Delancey

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
Signed by:

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Land Assembly process and  
Proposal:

New Landport & Landport Gate  
(part thereof)

## **1 Introduction**

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- 1.1 This report sets out the proposals to enable the Land Acquisition to facilitate part of the regeneration and development of the City Centre areas, identified in the emerging Local Plan as New Landport and Landport Gate.
- 1.2 The proposal sets out the current position, timing and methods of land acquisition available to the City Council in order to facilitate the development, and will provide some suggestions as to the most appropriate method of acquisition in varying circumstances.
- 1.3 Whilst the City Council will work to acquire all necessary property interests by agreement, this land acquisition proposal includes the potential use of compulsory purchase powers.

## **2 Current position**

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- 2.1 The Council have been considering options to regenerate and improve the area to the north of the City Centre for a long time. Previous consideration included a highways led improvement project, and a joint venture scheme for the area surrounding The Tricon car park.
- 2.2 The Council now owns a considerable swathe of land across the northern part of the city centre (New Landport), as shown in Plan 1. By area there remains a relatively small number of property interests.
- 2.3 The area including the Tricon car park, whilst the freehold is with PCC, is subject to a long lease held by Delancey and sublet to NCP Ltd. Delancey also own several other interests in this area. Delancey held assets are shown on plan 2 And are currently subject to negotiations between the parties. Delancey's assets are also subject to other interests, some of which will need to be considered for acquisition independently.

### **3 Acquisition Options**

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- 3.1 There are three principal options for acquisition available to the City Council to ensure vacant possession of the sites for the regeneration of both schemes, these are:
- Acquisition by agreement
  - Determination of leasehold interests using Landlord and Tenant powers
  - Compulsory Purchase
- 3.2 Each method has its benefits and it is envisaged that they will all be used in combination to ensure that vacant possession of the site is delivered at the required time in a cost-effective manner.



## **4 Application**

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- 4.1 As has been discussed above, a combination of all the methods may be appropriate for the acquisition of the entire site required for the proposed redevelopment.

Prior to acquiring any land, it is vital to have a schedule showing a comprehensive list of all property interests within the development site. The initial task will be a desk top study of approximately three weeks from instruction (anticipated October 2021), followed by a more detailed referencing exercise taking approximately five weeks thereafter (Eight in total for the first stage to have a document ready to support a Compulsory Purchase order if required and to assist acquisitions).

### **Acquisition using Landlord & Tenant powers**

- 4.2 The next step in the land acquisition process is to examine land where PCC have an interest to see whether there are any inferior property interests which could be acquired using landlord and tenant provisions, as the majority of the site has been held and managed in anticipation of a scheme, it is envisaged the majority of any such assets will have provided for the determination of any inferior interest.
- 4.3 If any interests are found which meet these criteria, then a schedule can be drawn up of when relevant notices need to be served in order to provide vacant possession when required. It may also be appropriate to notify those affected in the early stages that this is what their landlord intends.

### **Acquisition by Agreement**

- 4.4 This is the preferred method of acquisition.
- 4.5 The Council will need to identify any property interests within the site that are on the market, and also make it known that they are seeking to acquire. If property interests are on the market, and can be acquired at a reasonable cost, then they should be purchased. It may be possible to enter into conditional contracts or take options in order to secure the property interest rather than an outright purchase at an early stage.
- 4.6 The remainder of the interests within the site should be contacted in order to initiate attempts to acquire by agreement. This process can obviously be prioritised depending on the type of interest held. It should be recognised that there may be more than one property interest in some properties, and that the acquisition by agreement of a superior interest may allow the determination of an inferior interest using landlord and tenant powers.
- 4.7 At an early stage a 'stock letter' should be sent to all affected parties initiating contact and explaining the Councils intentions to negotiate

acquisitions by agreement. This process of regular correspondence should be continued throughout the duration of the project. This process can be accommodated as part of the initial work carried out for land referencing work.

#### **Small Investment Owners, Owner occupiers and large space users**

- 4.8 A schedule showing available relocation properties within the local area including all of the various land uses which are within the development site will be prepared. This schedule needs to be updated regularly throughout the entire land acquisition process. It should be available on PCCs website and any other local property search sites.
- 4.9 This schedule will provide the basis of negotiations with occupiers to purchase their interests. It should provide a useful information source for all those who are affected by the scheme in their attempts to find relocation premises. This will significantly reduce the risk of businesses having to extinguish due to their inability to find relocation premises, and assist in achieving continuous trading for relocating businesses.
- 4.10 The Council should work with the affected occupiers to identify appropriate relocation opportunities and be prepared to indemnify occupiers for the reasonable costs of acquiring and holding relocation properties, such as agents or legal fees.
- 4.11 The main concern of small investment owners will be to obtain the right value for their interest. If agreement can be reached on this value, it is likely that a deal can be agreed.
- 4.12 Owner occupiers are likely to have two main concerns, achieving the appropriate value for their property interest, and finding appropriate relocation premises. If both of these issues can be resolved, it is likely that a deal can be agreed. The owner-occupier is likely to reserve their rights to claim disturbance compensation, which is difficult to assess at this early stage.
- 4.13 The main concern of a large or unusual space occupier is likely to be finding appropriate relocation premises. If these can be found, it is likely that agreement can be reached more easily on issues of the value of the property interest and disturbance compensation. Early discussion with these occupiers is particularly important in order to avoid businesses extinguishing or ceasing trading for a short time whilst relocation takes place. It is already known that the highest value occupiers: NCP, Argos & McDonalds will consider their options.

#### **Leaseholders and occupiers**

- 4.14 The main concerns of these occupiers will be finding appropriate relocation premises. The council will work with the affected occupiers to identify appropriate relocation opportunities and be prepared to indemnify occupiers for the reasonable costs of acquiring and holding

relocation properties. The schedule of available property discussed at paragraph 3.11 above will be very useful in these discussions.

- 4.15 Once appropriate relocation premises have been identified, it is more likely that agreement can be reached on any other costs incurred.

#### **Acquisition by Compulsory Purchase**

- 4.16 Compulsory purchase forms the third process of acquisition.
- 4.17 Compulsory purchase is seen as a last resort by acquiring authorities, to be used only when all other options have failed. It should never be seen as a first option.
- 4.18 Government guidance supports the use of compulsory purchase to secure regeneration schemes. It recognises that, due to the time taken to make and confirm a compulsory purchase order, it may be appropriate to run the compulsory purchase process in parallel with other efforts to acquire interests in property. This also demonstrates the seriousness of the council's intentions, and can help to move negotiations forward.
- 4.19 Therefore, whilst the council explores all reasonable options for acquiring the necessary land as set out above, the City Council will make preparations to make a compulsory purchase order to facilitate the development. Negotiations to acquire by agreement will continue throughout this process.
- 4.20 The timeframe to prepare and finalise a compulsory Purchase order is approximately 18 months. As the council have addressed a number of issues for the proposed scheme previously, this time frame may be reduced, and the application supported by previous attempts to work with external bodies.
- 4.24 The period leading up to securing the CPO will be used to negotiate with owners, and also to focus on delivering the best outcome for the city. Negotiations will be in line with the statutory guidance for using compulsory purchase in that interests will be valued at their existing use, but with consideration given for the savings gained in not paying compensation under CPO regulations.

## 5 Conclusions

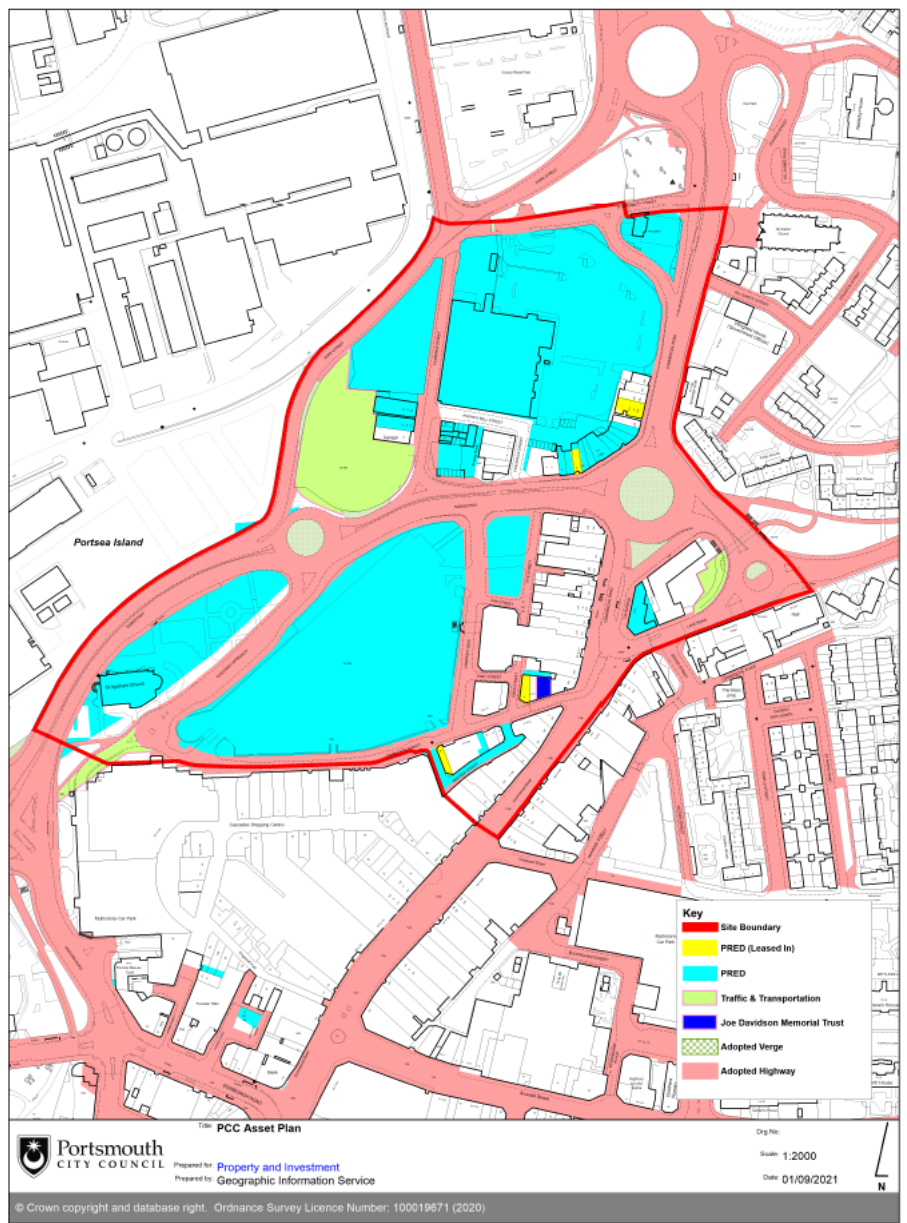
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- 5.1 The council will use their landlord and tenant powers where appropriate to acquire control of property interests required in advance for the proposed scheme.
- 5.2 Where property interests are available on the market at present, the council will make reasonable attempts to acquire them by agreement.
- 5.3 The council will make reasonable attempts to acquire any remaining property interests by agreement. This will necessitate the commissioning of the land referencing work, as such a decision is required as to how the scheme will be focussed in stages that will be agreed with the Director ie stage 1. New Landport, stage 2. Highways Lands & stage 3. Landport Gate (south).
- 5.4 The council will prepare and maintain a schedule of all available property for relocation. They will work with affected occupiers to identify and secure relocation property where appropriate.
- 5.5 The council is prepared to use of its compulsory purchase powers to acquire property interests required for the development.
- 5.6 Anyone who is potentially affected by the scheme, or has questions concerning land assembly, should be directed to;

Tom Southall MRICS  
Assistant Director of Property & Investment  
Tom.Southall@portsmouthcc.gov.uk

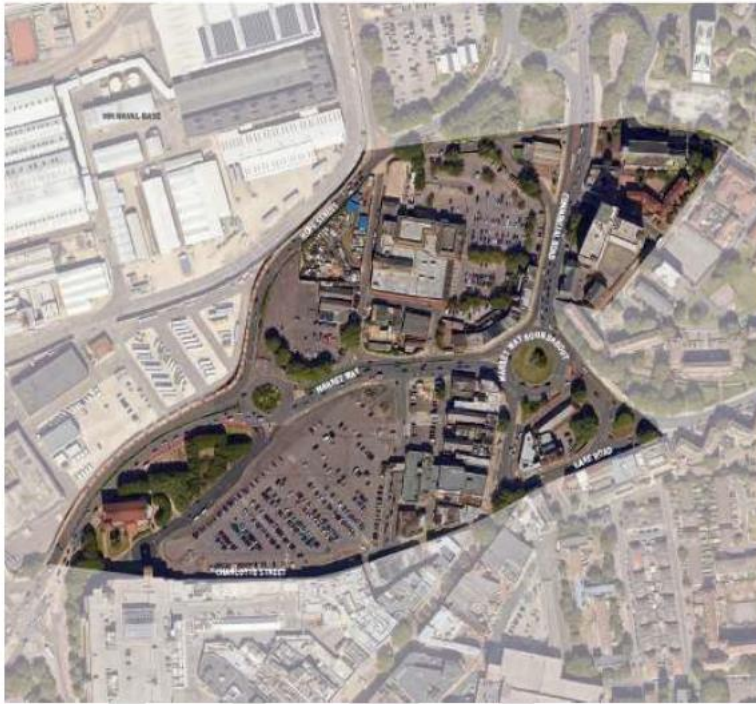
Anne Cains MRICS  
Head of Acquisitions and Disposal  
Anne.Cains@portsmouthcc.gov.uk

# Appendix 1 - Council Ownership Plan



Appendix 2 - New Landport

**B - City Centre North ('New Landport')**

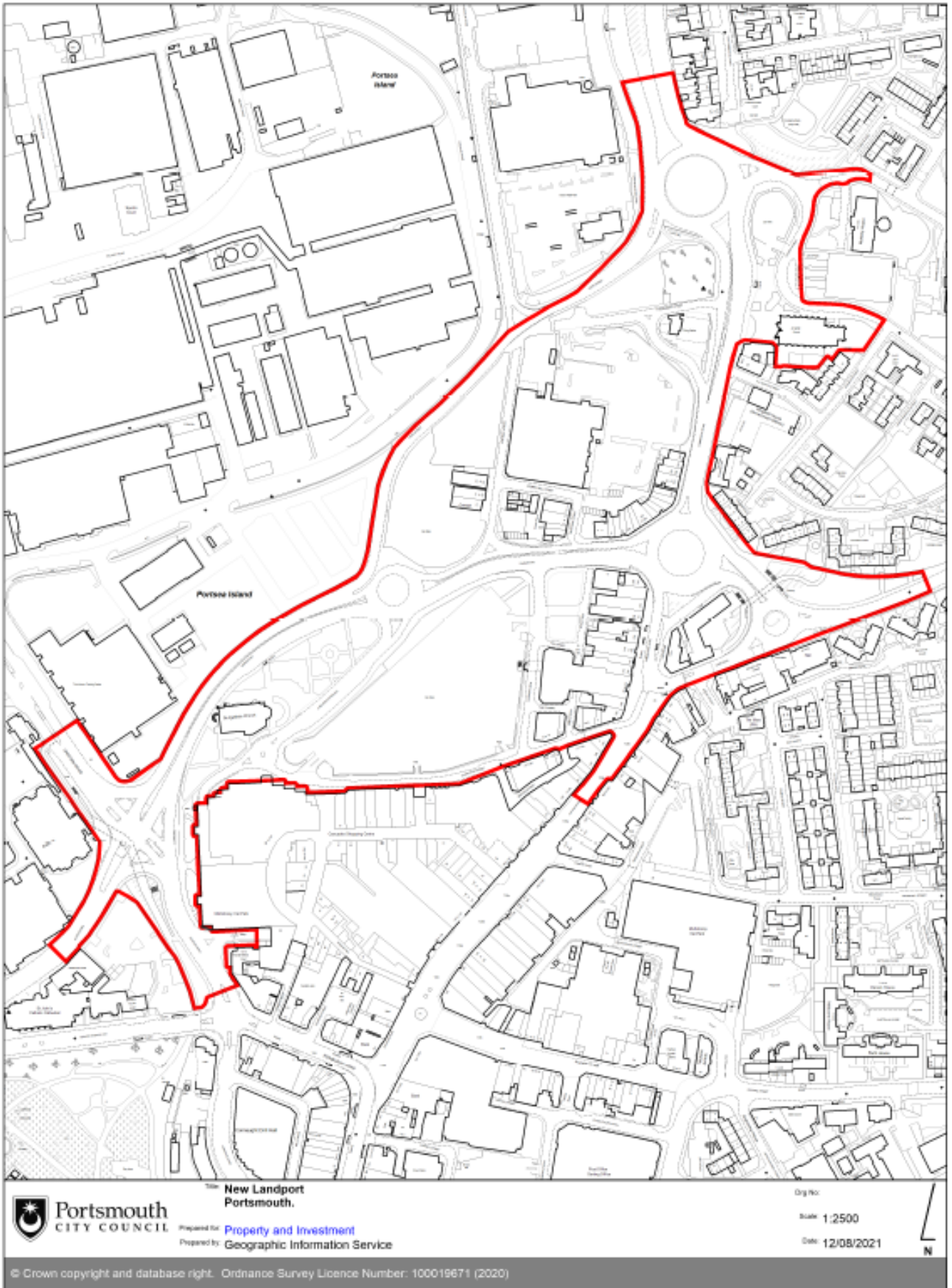


Appendix 3 - Landport Gate

**A - Herbert Street/Victory Retail Park ('Landport Gate')**



## Appendix 2: Proposed Red Line Boundary for CPO



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# Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
  - Communities and safety
  - Regeneration and culture
  - Environment and public space
  - Equality & - Diversity - This can be found in Section A5

**Directorate:**

Regeneration

**Service, function:**

Strategic Developments

**Title of policy, service, function, project or strategy (new or old) :**

New Landport development: The land assembly strategy proposed will support and enable the redevelopment and regeneration of the area known as New Landport.

**Type of policy, service, function, project or strategy:**

- Existing
- New / proposed
- Changed

**What is the aim of your policy, service, function, project or strategy?**

To regenerate the area to the north of the city centre known as New Landport to create new homes and regenerate the area, whilst providing good links to the rest of the city, ensuring sustainable transport links.

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

No: Consultation for the proposed scheme will form part of the process to deliver the scheme.

## A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

### A1-Crime - Will it make our city safer?



In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact [Lisa.Wills@portsmouthcc.gov.uk](mailto:Lisa.Wills@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

At this stage of the programme we do not have a detailed knowledge of the impact of the development in terms of safety and reduction of crime within the area.

It is critical to ensure that our design principals focus on the development being safe for residents and visitors. In addition to that, we believe in the importance of enabling strong, inclusive communities where social and physical activity are encouraged as a way to prevent mental health issues and support people to develop in a healthy environment.

How will you measure/check the impact of your proposal?

We will produce a procurement delivery scorecard which outlines all ours KPIs. This will be continually reviewed prior to a planning submission.

## A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

### A2-Housing - Will it provide good quality homes?



In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact [Daniel.Young@portsmouthcc.gov.uk](mailto:Daniel.Young@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The plans for New Landport address the city needs for housing, with a large focus on health and well-being for a new sustainable community. We do not just want to build homes. We want to build a community that flourishes and much thought has gone into how people can live in a more environmentally conscious way. We hope this will set the bar for future developments in Portsmouth.

We are aiming to be policy compliant as a minimum.

Within the Strategic Developments team, we are committed to delivering safe homes that provide natural light, ventilation, noise protection and affordable heating.

How are you going to measure/check the impact of your proposal?

We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

**A - Communities and safety**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**A3-Health** - Will this help promote healthy, safe and independent living?



In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact [Dominique.Letouze@portsmouthcc.gov.uk](mailto:Dominique.Letouze@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

New Landport will promote health and wellbeing and good quality of life - delivering work, live and play in close proximity to high quality open spaces and water, (blue and green concept).

How are you going to measure/check the impact of your proposal?

We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

**A - Communities and safety**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**A4-Income deprivation and poverty**-Will it consider income deprivation and reduce poverty?



In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact [Mark.Sage@portsmouthcc.gov.uk](mailto:Mark.Sage@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>  
<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is to regenerate an area of the City to provide additional homes and create commercial space & opportunities for businesses which is anticipated to attract investment in the area, creating additional employment opportunities.

How are you going to measure/check the impact of your proposal?

We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

**A - Communities and safety**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**A5-Equality & diversity** - Will it have any positive/negative impacts on the protected characteristics?



In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact [gina.perryman@portsmouthcc.gov.uk](mailto:gina.perryman@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

As we are currently in the concept phase there are no negative impacts on specific protected characteristics being reviewed. As we move forward into the design of the development it will be critical that we involve protected characteristic groups to ensure mitigations are put into place.

This programme is not envisaged to negatively impact on the equality groups but we will ensure we get people views so these groups are not put at a disadvantage and get the opportunity to give feedback.

How are you going to measure/check the impact of your proposal?

We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

## B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

**B1-Carbon emissions** - Will it reduce carbon emissions?



In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact [Tristan.thorn@portsmouthcc.gov.uk](mailto:Tristan.thorn@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

In line with the Portsmouth Climate Change Strategy, we are committed to reduce the construction carbon footprint, using renewable and sustainable energy and materials, as well as implementing innovative construction methods to guarantee we are complying with the "net zero" government strategy.

By linking into the surrounding mixed landscape, the blue and green spaces on site will be linked directly into the neighborhoods, It will establish a complementary mix of natural habitat and recreational amenities that are designed to allow for long-term resilience and will encourage physical activity.

How are you going to measure/check the impact of your proposal?

We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

## B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

**B2-Energy use** - Will it reduce energy use?



In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact [Triston.thorn@portsmouthcc.gov.uk](mailto:Triston.thorn@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

At this stage of the programme we do not have a detailed knowledge of the impact of the development in terms of energy use. However, we are committed to the Portsmouth City Council Climate Change Strategy and we are aiming to use a high proportion of energy coming from renewable/decentralised sources.

How are you going to measure/check the impact of your proposal?  
We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

## B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

**B3 - Climate change mitigation and flooding**-Will it proactively mitigate against a changing climate and flooding?



In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact [Tristan.thorn@portsmouthcc.gov.uk](mailto:Tristan.thorn@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

At this stage of the programme we do not have a detailed knowledge of the design of any mitigation requirements, but the scheme is aware of the flood zone and mitigation measures will be incorporated into the designs. The proposal will also seek to achieve the highest BREEM rating .

How are you going to measure/check the impact of your proposal?  
We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

## B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

**B4-Natural environment**-Will it ensure public spaces are greener, more sustainable and well-maintained?



In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact [Daniel.Young@portsmouthcc.gov.uk](mailto:Daniel.Young@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is to introduce new low maintenance "Blue & Green" (Water and park) spaces for residents and the wider community.

How are you going to measure/check the impact of your proposal?

We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

**B - Environment and climate change**

Yes

No

Is your policy/proposal relevant to the following questions?

**B5-Air quality** - Will it improve air quality?



In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact [Hayley.Trower@portsmouthcc.gov.uk](mailto:Hayley.Trower@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

In line with the councils climate change strategy the proposal for New Landport is to reduce vehicular movements into the city, by creating more city centre homes and local work places. Also creating sustainable traffic links such as footpaths and cycle routes linking neighbourhoods.

How are you going to measure/check the impact of your proposal?

We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

**B - Environment and climate change**

Yes

No

Is your policy/proposal relevant to the following questions?

**B6-Transport** - Will it improve road safety and transport for the whole community?



In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact [Pam.Turton@portsmouthcc.gov.uk](mailto:Pam.Turton@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is to review the current road network within the area and to make improvements where necessary.

A comprehensive public transport strategy has been developed that reflects the aspirations of Portsmouth City Council to deliver a Bus Rapid Transit (BRT) network and encourage emerging trends including Mobility as a Service (MaaS).

How are you going to measure/check the impact of your proposal?

We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

**B - Environment and climate change**

Yes

No

Is your policy/proposal relevant to the following questions?

**B7-Waste management** - Will it increase recycling and reduce the production of waste?



In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact [Steven.Russell@portsmouthcc.gov.uk](mailto:Steven.Russell@portsmouthcc.gov.uk) or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

We are currently working with colleagues in our waste and energy team to establish a waste management strategy for New Landport which also looks at the agenda of the city as a whole.

How are you going to measure/check the impact of your proposal?

We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.



**C - Regeneration of our city**

Yes

No

Is your policy/proposal relevant to the following questions?

**C1-Culture and heritage** - Will it promote, protect and enhance our culture and heritage?



In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact [Claire.Looney@portsmouthcc.gov.uk](mailto:Claire.Looney@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

We are in an early stage of the design of the programme and as part of the stakeholder management plan, we will have an engagement strategy to facilitate that the key stakeholders support us to understand the site and the heritage of the location and its significance to the wider area.

How are you going to measure/check the impact of your proposal?  
We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

**C - Regeneration of our city**

Yes

No

Is your policy/proposal relevant to the following questions?

**C2-Employment and opportunities** - Will it promote the development of a skilled workforce?



In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact [Mark.Pembleton@portsmouthcc.gov.uk](mailto:Mark.Pembleton@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is to regenerate an area of the City to provide additional homes and create commercial space & opportunities for businesses which is anticipated to attract investment in the area, creating additional employment opportunities. We will encourage the creation of apprentice, work experience and placement opportunities which we are already scooping with the education team.

How are you going to measure/check the impact of your proposal?  
We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our

submitting to planning.

## C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

**C3 - Economy** - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?



In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact [Mark.Pembleton@portsmouthcc.gov.uk](mailto:Mark.Pembleton@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is to regenerate the area with a view to attracting investment in businesses and opportunities within the development and wider city.

How are you going to measure/check the impact of your proposal?

We will produce a procurement delivery scorecard which outlines all our KPIs. This will be continually reviewed prior to our submitting to planning.

## Q8 - Who was involved in the Integrated impact assessment?

Anne Cains -Head of Acquisitions & Disposal  
Anne Limburn - Strategic Project Manager

This IIA has been approved by: Tom Southall - Assistant Direct of Regeneration & Property

Contact number: 07555 012510

Date: 31st August 2021