

Details**Status:**

Decision Subject To Call In

**Title:**

Phoenix Business Park, Brickfield Road, Tyseley – Proposed Compulsory Purchase Order

**Reference:**

003690/2017

**Details:**

Report of Assistant Director Planning

**Implementation Date (not before Meeting Date):**

Thu 24 May 2018

**Purpose:**

To seek approval for the making of a Compulsory Purchase Order (CPO) on behalf of Euro Packaging Limited to enable them to acquire land at Phoenix Business Park on Brickfield Road in order to consolidate and expand their business operations.

**Key Portfolio:**

Leader

**Include Item on Forward Plan / Key Decision:**

Yes

**Decision Maker:**

Cabinet

**Reason for Key Decision:**

over £1m capital

**Relevant Documents:**

Decision**Urgent Decision - Not in Forward Plan:**

No

**Is Private:**

No

**Decision Outcome:**

On 24 May 2018, Cabinet:- (i) Authorised, subject to (i) the completion of the agreement at paragraph 2.2 below and (ii) the grant of planning permission for the proposed development, the making of a Compulsory Purchase Order under Section 226(1)(a) of the Town and Country Planning Act 1990, in respect of the area identified and edged black on the plan at Appendix 1 to the report (the 'Order Land'), including where necessary, acquisition of new rights under Section 13 of the Local Government (Miscellaneous Provisions) Act 1976, to be entitled The Birmingham City Council (Brickfield Road Tyseley) Compulsory Purchase Order (the 'CPO') in order to facilitate an employment development. (ii) Authorised the City Solicitor to complete an Indemnity Agreement under which all costs, expenses and compensation arising from the CPO are met by Euro Property Investments Limited. (iii) Authorised the City Solicitor to take all necessary steps, including the execution of documents as required, to secure the making, confirmation and implementation of the CPO, as well as the publication and service of all necessary notices, including High Court Enforcement Officer Notices. (iv) Authorised the Assistant Director Property to voluntarily negotiate for, and acquire, all interests in land required in advance of, and alongside, making the CPO. (v) Authorised the Assistant Director Property to negotiate and agree the terms for a new lease with Euro Property Investments Limited in order to facilitate their development proposals. (vi) Instructed the City Solicitor to confirm the CPO, if granted power to do so by the Secretary of State, and (vii) Instructed the City Solicitor to negotiate, execute and complete all necessary documents to give effect to the above recommendations. THE DEADLINE FOR CALL IN IS 1600 HOURS ON THURSDAY 31 MAY 2018 On Wednesday 30 May 2018 at 1602 hours, a request for call-in was submitted by Councillors Ken Wood and Simon Morrall. No action on the decision can be taken until the request for call-in has been considered by the Economy and Skills O&S Committee within 15 days of the decision being posted.

Miscellaneous**Reg 10****Reg 11**

### Decision Criteria

This Decision does not contain any decision criteria records.

### Wards

(OLD) South Yardley

### Topics

This Decision does not contain any Topic records

### Overview and Scrutiny

Corporate Resources and Governance Overview and Scrutiny Committee