

Cabinet Meeting Resolution

**Executive
Forward Plan
Reference**

E3486

Somer Valley Enterprise Zone Local Development Order

Date of Meeting	1-Feb-24
The Issue	<p>The Council/LPA is promoting a Local Development Order (LDO) at the Somer Valley Enterprise Zone (SVEZ) to enable delivery of this long-standing employment land allocation, via a master planning process. This item brings forward the LDO for a decision on its adoption by Cabinet. A formal consultation period on the LDO commenced on 16th January 2023 and concluded on 23rd February 2023. A revised statutory consultation commenced on 22nd September 2023 and concludes on 20th October 2023.</p> <p>Rationale for Decision The Council is looking to deliver a mixed used regeneration project in the Somer Valley, predominantly on the land forming part of the Somer Valley Enterprise Zone (SVEZ) which is held in five different ownerships. The SVEZ has been allocated for mixed use development in the Council's local plan since 2007 but has not been bought forward by the private sector. In addition to the development of the SVEZ, there are a number of highways works that will be necessary in order to deliver the project, including a new access from the A362 and network junction interventions. The LPA is promoting a LDO across the SVEZ, and highway enabling works to assist in bringing the site forward. The formal LDO documents were published on 16th January 2023 and the formal public consultation concluded on 23rd February 2023. Following the initial statutory consultation, the project team attended workshops with Development Management to address comments received and revised documents were submitted back to the LPA. The revised statutory consultation began on 22nd September 2023 and concludes on 20th October 2023. A decision on whether to adopt the SVEZ LDO is required by the Council's Executive, via Cabinet.</p> <p>Financial and Budget Implications The SVEZ has WECA IF programme funding to deliver the LDO alongside s.106 contributions. An Outline Business Case + is being prepared to secure funding for the project, submission targeted for January 2024. A funding bid will be made to the Investment Fund to support land acquisition.</p> <p>Other Options Considered The land has been allocated since 2007 without the private sector bringing the site forward. The Council is promoting the LDO and land acquisition to enable delivery.</p>

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The decision

- (1) To adopt the Local Development Order for the Somer Valley Enterprise Zone (SVEZ) site recommended by the Local Planning Authority, and to meet the aims of policy SSV9.
- (2) To delegate to the Director of Regeneration and Housing and the Director of Sustainable Communities (or [the Monitoring Officer / Executive Member] for payments of over £500,000) in consultation with the S151 Officer, authority to take all necessary steps to acquire by agreement land and/or rights required for the SVEZ Scheme and to negotiate and settle all necessary compensation and professional fees (including interim payments) as agreed with landowners, where compensation is within the SVEZ Scheme budget. This will be subject to full due diligence and financial evaluation to ensure value for money and that commitments are in line with approved scheme budgets.
- (3) To delegate the approval to the Director of Regeneration and Housing and the Director of Sustainable Communities in consultation with the s151 Chief Finance Officer to:
 - Accept the Investment Fund grants from the West of England Combined Authority, subject to WECA approval at Committee .
 - On grant acceptance to move from provisional to approved budget for £9.3m continue with land assembly and infrastructure design.

Rationale for decision

The delivery of Somer Valley Enterprise Zone is a Corporate priority via the Council's Economic Strategy (2014-2030).

The LDO will remove planning barriers to the development of the site, thereby helping to encourage sustainable economic growth and job creation within the Somer Valley.

The SVEZ is an intervention that will make our district more sustainable by delivering changes to movement patterns including walking and cycling and promoting bus transport, offering benefits to residents and wider Somer Valley communities by enabling people to remain local.

Adoption of the LDO by Cabinet addresses a market failure and de-risks delivery through a flexible planning framework, that, via Compliance Applications, allows plots to be brought forward for development in a swifter timeframe than a conventional planning route.

A 'double lock' is provided, firstly through the delivery of the LDO, as the planning permission that controls how sustainable development comes forward, and secondly through the control effected by the acquisition of the land acting as a lever to enable delivery. The Council is then able to decide how to bring development forward, ensure the supporting infrastructure is put in place and that development aligns with the ambitions of the Council.

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Other options considered

The project explored 5 approaches for development on site:

- Do nothing- the public sector undertakes no works.
- Low intervention- encourage landowner agreement and prepare a masterplan/development brief to support delivery of the site.
- Medium intervention- encourage landowner agreement, advance a Local Development Order and provide initial site servicing.
- High intervention- acquire part/all of the site, prepare a Local Development Order and service land within public sector ownership
- Full intervention- all of the works highlighted above, plus delivery of a first phase.

The 'do nothing', 'low intervention' and 'medium intervention' approaches were discounted as they did not provide the public sector with sufficient control to bring forward appropriate development.

The preferred option taken forward to the Outline Business Case for WECA in 2019 was the 'high intervention' route.

The Decision is subject to Call-In within 5 working days of publication of the decision