

EXETER CITY COUNCIL**EXECUTIVE
17 JUNE 2008****CANAL BASIN REGENERATION AREA****1.0 PURPOSE OF REPORT**

- 1.1 To agree the appropriation of the Canal Basin Regeneration Scheme area for planning purposes to facilitate the delivery of the Scheme.

2.0 BACKGROUND

- 2.1 The Council is in the process of negotiating the disposal of sites in the Scheme by way of Development Agreements to private developers to bring forward individual elements of the Scheme. Unfortunately, the Council's title deeds are not complete and, in order to achieve greater certainty concerning the potential exercise of easements and other rights over the land of which the Council is not presently aware, it is intended to use the powers granted to local authorities under Section 237 of the Town and Country Planning Act 1990 to over-ride any such rights on payment of adequate compensation.
- 2.2 In order for Section 237 to operate, however, the land must have been acquired or appropriated for planning purposes. The land in question is mainly held by the City Council as ancient corporate property and has been used for a variety of purposes over time. It is thought necessary to agree the formal appropriation of possible development sites within the Canal Basin area for planning purposes of facilitating the area's regeneration. Section 237 will then be applicable.

3.0 PROPOSAL

- 3.1 That the sites shown shaded on the attached plan within the Canal Basin area be appropriated for planning purposes to facilitate the Canal Basin Regeneration Scheme.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications in this proposal.

5.0 RECOMMENDED that

The sites shown shaded on the attached plan within the Canal Basin area be appropriated for planning purposes to facilitate the Canal Basin Regeneration Scheme.

**DAVID PROSSER
HEAD OF ESTATES SERVICES
ECONOMY & DEVELOPMENT DIRECTORATE**

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling this report:-

None