

**THE NORTH EAST LINCOLNSHIRE
(STALLINGBOROUGH INTERCHANGE DEVELOPMENT SITE)
COMPULSORY PURCHASE ORDER 2020**

**THE TOWN AND COUNTRY PLANNING ACT 1990,
S13 MISCELLANEOUS PROVISIONS ACT 1976
AND THE ACQUISITION OF LAND ACT 1981**

**STATEMENT OF REASONS
OF
NORTH EAST LINCOLNSHIRE COUNCIL**

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Council by

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1 INTRODUCTION

- 1.1 The North East Lincolnshire Borough Council (the “Council”) has made the North East Lincolnshire Council (Stallingborough Interchange Development Site) Compulsory Purchase Order 2021 (“Order”) pursuant to section 226(1) (a) of the Town & Country Planning Act 1990 (“Planning Act”) and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (“Miscellaneous Provisions Act”) and it is about to submit it to the Secretary of State for confirmation.
- 1.2 The Order has been made for the purpose of acquiring land which will be developed for Phases 1B and 2 of a larger 96 hectares Business Park. Part of the site (62 hectares) has planning permission for up to 120,176 sq.m for B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution), associated infrastructure and internal highways.
- 1.3 The lands in the Order comprises open farmland that adjoins, but lie to the north of, the A180 and are east of the A1173 (“the Order Lands”). The Order Lands are required in order to facilitate Phases 1B and 2 of the development described in section 3b of this Statement of Reasons (“the Scheme”).

2 LOCATION AND DESCRIPTION OF THE ORDER LAND INCLUDING THE INTERESTS TO BE ACQUIRED.

- 2.1 The site of the Scheme (“the Site”) is located on the north side of the A180 about 1km south of the centre of the settlement of Immingham and a similar distance to the north east of the village of Stallingborough and 5km from the centre of Grimsby.
- 2.2 The Site of approximately 96 hectares is dissected by the A1173. The Council has already started installing infrastructure and building works on Phase 1A of the Scheme, which lies either side of the A1173 and backs onto North Beck Drain.
- 2.3 A major element of the infrastructure works for Phase 1A is to create new access roads via a new roundabout, into the land both north and south of the A1173 plus utilities including electricity, gas, mains water etc. The Council has acquired land on both sides of the A1173 to undertake these works.
- 2.4 At the time of preparing this Statement the first building on the south side of the A1173 in Phase 1A is nearing completion and is expected to be occupied by February 2021.
- 2.5 Phases 1B and 2 lie beyond the Phase 1A land, further to the south east of the A1173.
- 2.6 The Order Lands comprise all the land within Phase 1B and part of the land within Phase 2. The remaining part of the land within Phase 2 is currently subject to an ‘option to purchase’ held by the Council and it has exercised that option. This is referred to as the Moorcroft land and is not subject to the Order.
- 2.7 Plot 1 has an area of 20.39 hectares and is roughly triangular in shape. It is a flat arable field. It has only one distinguishing feature, which is a large

electricity pylon on the southern boundary and the overhead powerlines that cross the land. Its southern boundary is with the edge of the A180 which is thickly vegetated. It then bounds the A1173 for a short distance before its north west boundary follows the edge of Kiln Lane, a farm track. Its eastern boundary is with Parcel 2 and is marked with a ditch and hedge. Because the A180 is grade separated at its junction with the A1173, at that point the roundabout junction is elevated above the natural levels by about 9 metres. Otherwise levels are consistent with the adjoining land.

- 2.8 Plot 1 has been registered under two Land Registry Titles HS175870 and H175871. Both have title absolute registered in the names of Messrs P, N and T Strawson (“the Strawsons”). The titles are both subject to a 1987 easement granted to The National Grid Company PLC. The Secretary of State for Transport also has rights in connection with ‘Middle Drain’, a drain which passes under the A180 on the south eastern boundary of the Plot. The Grimsby, Cleethorpes and District Water Board (the “Water Board”) has rights to lay waterpipes through H175871 in a line between the A180 and Kiln Lane crossing the land at the western end of the site. The Water Board are no longer in existence. Anglian Water are now the statutory water authority for the area and have confirmed that the active water pipe previously sited on the land was abandoned on construction of the A1173, prior to the formation Anglian Water. Anglian Water have confirmed that they have no physical assets in Plot 1. At this time, it is not clear where the rights of the Water Board as listed on the title to Plot 1 have vested, or indeed if they were ever transferred to another party.
- 2.9 Plot 2 has an area of 13.59 hectares and has a roughly oblong shape. It again has an electricity pylon situated near its southern boundary and is crossed by powerlines. The southern end of the field aligns with Middle Drain and the eastern boundary with an old track called Ephams Lane, the majority of which appears to be overgrown with vegetation and contains some trees.
- 2.10 Plot 2 has been registered under the Land Registry Title HS381862 and is registered with title absolute of Messrs P and T and Mrs J Hoyes (“the Hoyes”).
- 2.11 Plot 3 comprises the tracks to the north west and north east of Plots 1 and 2, which are referred to on Ordnance Survey Plans as Kiln Lane and Ephams Lane, described above. Kiln Lane (“Old Kiln Lane”¹) where it adjoins Plots 1 and 2 to the north west, is not fully formed but probably has some base formation and is of a width for agricultural machinery to use it, providing such access to both Plot 1 and the land in the Council ownership to the north west. It has an area of 1.74 hectares. However in front of the Hoyes land it becomes metalled and eventually is directed onto the roundabout which forms the main junction where the A1173 turns left towards Immingham Port and straight on towards the North Moss Lane and Beels Road Industrial Estate. Ephams Lane provides access to Plot 2 at its south eastern end.
- 2.12 The parts of Old Kiln Lane and Ephams Lane that lie within the Site are not registered at the Land Registry. Neither appears on the Council’s definitive footpath or bridleway plan and neither appears to be a highway maintainable

¹ We refer to it as this to distinguish it from that part of Kiln Lane which is now an adopted highway leading into North Moss Lane/Beels Road Industrial Estate.

at public expense². The Hoyes under title HS381862 claim rights of access along Ephams Lane to its connection with South Marsh Road.

- 2.13 Immediately adjoining the Site north of Old Kiln Lane there is an abstraction plant operated by Crystal Ltd. It is not intended to interfere with the access of Crystal Ltd along that part of Old Kiln Lane. Beyond this on the south of Old Kiln Lane is the agricultural land that will eventually be developed as Phase 3 of the Site and again it is not intended to interfere with any agricultural access to this land from Old Kiln Lane. The next nearest neighbours to the Site are the industrial units to the north off North Moss Lane and Beels Road. These buildings are predominantly 'B' type uses, with a particularly notable quantum that appear to be in B8 and B2 use.
- 2.14 The HCF CATCH site, which provides training opportunities for the chemical and process engineering industries, is located directly to the north of the Site, off Kiln Lane.
- 2.15 Looking beyond the Site boundary to the west, south and east, the wider area largely comprises agricultural fields and existing large scale industrial development at the north with the views punctuated with overhead powerlines carried on pylons.
- 2.16 The A180 is the main road traffic artery of North East Lincolnshire which provides the link between the various employment areas on the south side of the Humber to the national motorway network. The A1173 was built to provide access into Immingham Docks to the north.

3 THE SOUTH HUMBER INDUSTRIAL INVESTMENT PROGRAMME

a) SHIIP

- 3.1 The Scheme forms a component of a larger programme called the South Humber Industrial Investment Programme ("SHIIP"). This is central to delivering the growth ambition set out in the new Local Plan of the Council.
- 3.2 The programme initially sought to deliver circa 195ha of developable land, including serviced land at the Site, which will in turn assist the creation of investment and jobs. It is expected that business rates generated by SHIIP will enable the Council to service the costs of investment.
- 3.3 However, a particular throttle on industrial development in the South Humber Area are the national and international nature conservation designations arising from the importance of the area for birds. North Lincolnshire Council has sought to address this through strategic mitigation works which will allow the scale of development proposed³.
- 3.4 The programme had initially proposed bringing the Scheme forward through a partnership approach with landowners (as reflected in the initial funding proposals - (see Section 5 below). On this basis the Local Plan identified that 20 hectares of land from the Site would initially be brought forward.

² Though the roundabout into Old Kiln Lane is adopted.

³ Further details are set out in paragraphs 12.45 to 12.58 and Figures 12.2 of the North East Lincolnshire Local Plan.

However, the failure to agree terms with key landowners within the Scheme has meant that this approach was not feasible.

- 3.5 In the absence of reaching agreement and with the significant infrastructure investment required to bring the Scheme forward, the Council needed to align this spending with the security of having an extensive planning permission and sufficient control over delivery of the land through ownership. This will ensure that the jobs and the business rates identified in the Financial Model can be delivered in a timely manner and achieve the return on investment. It has taken the first step by obtaining the hybrid planning permission as described in Section 4 below and has commissioned soft market testing which has positively identified market interest in the more extensive area of serviced industrial land now with planning permission. Accordingly, the Council will now seek to bring forward the entire Site within the Local Plan period. This is reflected in the updated SHIP financial models, a summary of which is shown in the Cabinet report dated 13th January 2021 and now identifies an outright land assembly cost, as opposed to a partnership approach.

b) The Scheme

- 3.6 The Scheme could be said to be in two parts.
- 3.7 The first part of the Scheme is the delivery of 62 hectares⁴ of serviced employment land which can then be developed with buildings. Therefore the Council is funding the assembly of land, the procurement of services, the installation of roads and drainage and the provision of strategic landscaping.
- 3.8 The second part of the scheme is to see the land be developed with employment premises, principally buildings. The Council has a range of options available for this part of the scheme including disposal to occupiers (by lease or freehold), entering into a development agreement on parts of the site with a third party to procure buildings or entering into an investment partnership for the purposes of providing long term funding for buildings to let.
- 3.9 The Council has nearly completed the implementation of the first part of Phase 1A following its acquisition of the 13 hectares of land within this phase. This has included the provision of access through the Scheme's main junction into local access roads and footpaths, the provision of foul and surface water drainage, water, electricity, gas and conduits for telecoms cabling.
- 3.10 It has, as previously referred to, undertaken to construct and lease a building for development on Phase 1A and is dealing with an offer to purchase 2 acres of land for development plus an option for additional land.

⁴ Of the wider 96 hectares Business Park, initial models produced by the Council's advisors suggest that up to 64 hectares of the land forming the Business Park could be developable land. 62 hectares of developable land have subsequently been secured by planning permission.

4 PLANNING STATUS OF THE SCHEME

a) Planning Permission.

- 4.2 The Site, including the Order Lands, benefits from an implemented hybrid planning permission, reference DM/0105/18/FUL issued on 18th October 2018 by the Council subject to 16 conditions.
- 4.3 The full description of the development approved is *“Hybrid application seeking outline consent with access, landscaping and scale to be considered for the development of a 62ha Business Park comprising up to 120,176 sq.m for B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution), associated infrastructure and internal highways. Full application for the creation of a new roundabout, new access roads, associated highway works, substations, pumping stations, drainage and landscaping”*.
- 4.4 The full planning permission element was to be implemented within 3 years and therefore this part of the permission has fully commenced.
- 4.5 The outline planning permission element is to be subject to the submission of reserved matters by October 2028 and thereafter commenced within 3 years of the approval of the last matter to be approved. Therefore there is a considerable period, potentially up to at least 2031, within which parts of the outline permission can be implemented.
- 4.6 The application was subject to Environmental Impact Assessment and a lengthy Environmental Statement was produced which dealt with amongst other matters
- a) Archaeology (addressed in condition 13 of the planning permission requiring implementation of further investigations).
 - b) Ecology and Nature Conservation (addressed through condition 6(d) with a habitat improvement plan).
 - c) Noise and vibration (addressed through condition 4 within a construction management plan).
 - d) Contamination and Ground conditions (addressed through condition 14 if any contamination found during works)
 - e) Air quality (addressed through condition 4 within the construction management plan.)
 - f) Transport impacts (addressed through various conditions including conditions 4, 6f, 10, 11, 15 and 16)
 - g) Flood risk and Drainage (addressed through conditions 6b and 12).
 - h) Landscape and visual impact (addressed through condition 6c and 9)
- 4.7 The socio-economic impacts of the development were also assessed and it was calculated that the scheme would help reduce the levels of unemployment and deprivation in the area because approximately 2,018 full time equivalent jobs could be created.

- 4.8 Other matters were evaluated in the determination of the planning application and the following reason for approval was given in the decision notice:

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character, local amenity, ecology and highway amenity and is acceptable under all other planning considerations. It will support the economic development of the area. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 1, 5, 6, 7, 33, 36, 39, 41 and 42.

- 4.9 It should be noted that the Ministry of Housing Communities and Local Government was consulted in respect of the Environmental Statement, but the Planning Casework Unit had no comments to offer⁵.
- 4.10 Various applications to discharge conditions have been made and approved and one reserved matters application has been approved for the erection of a building⁶.
- 4.11 It should be noted that a non-material amendments application, DM/0545/20/NMA is to be determined in respect of this permission.

b) The Development Plan.

- 4.12 The Stallingborough Interchange is identified within Policy 7 of the North East Lincolnshire Local Plan as an Employment Allocation with the references 'ELR016 a&b'. The extent of the allocation identified on the Policy Map is larger than the Site.
- 4.13 There is an additional notation on the Policy Map, namely Enterprise Zone. This is because the Site is designated as one of the many individual sites across north and south of the River Humber which collectively comprise the Humber Enterprise Zone, the largest enterprise zone in the UK.

c) Stallingborough

- 4.14 In September 2020 the Council adopted the Stallingborough Interchange Supplementary Planning Document. This provides further guidance for reserved matters and further full applications plus guidance in respect of Phase 3.

5 FUNDING THE SCHEME.

- 5.1 The funding of the Scheme is part of the overall SHIP programme. The first funding decision in respect of SHIP was taken by the Cabinet of the Council in January 2016 following the presentation of a business case, in which £15.2M of investment from the Council was to contribute towards an overall £30M programme. It was expected that further support would come from both the

⁵ Email 19th April 2018

⁶ Reserved Matters Approval DM/0105/18/FUL

Lincolnshire and Humber LEP's⁷ and potentially some private sector funding for speculative unit development.

- 5.2 The commitment of this funding led to the Council commissioning extensive technical studies enabling initial project financial projections and outputs to be refined. The initial work on the planning application for the Scheme including some of the baseline studies was commissioned at this stage.
- 5.3 The additional evidence led to a further review and consideration of different approaches to the delivery of SHIP. The outcome of the review was that the Council would need to commit further funding specifically in relation to additional land acquisitions at Stallingborough, as well as increased land costs for Strategic Mitigation plus other construction cost rises elsewhere within the programme. The ambition of the programme was to deliver earlier but the cost of this would rise to £40.8M.
- 5.4 The Cabinet considered the position on 14th December 2017 and agreed to increase its funding via borrowing by a further £8.4M up to a total of £23.6M. It was expected the further support would come from the LEPs.
- 5.5 In terms of the Scheme this now meant that the first part of the Scheme, that is preparatory costs, land assembly and infrastructure delivery was in place for Phases 1A, 1B and 2 all of this publicly supported. The initial intention was to deliver this through a partnership model, with proposals for a conditional option agreement whereby the landowners would be paid on sale of the land to third parties. Due to the failure to reach acceptable agreement, the strategy on the Site has now progressed and the land will now be purchased outright from landowners. The Council has cabinet approval for funding of the programme, including land acquisition costs. This revised strategy will be still be delivered within the overall borrowing limit of £23.6M at any one time. A revised SHIP financial model now specifically allocates outright land assembly costs at an estimated value of £3.3 million.
- 5.6 The second part of the scheme, the development of individual parcels of land, is being and will be funded by both public and private investment. The Humber LEP as part of the Enterprise Zone package is able to provide investment support to businesses wishing to locate within the Enterprise Zone. Between the two bodies they have provided and indeed has already provided support funding of around £2.6M towards the development of the first employment premises within Phase 1A.

6 JUSTIFICATION FOR COMPULSORY PURCHASE

- 6.1 The Council has powers under section 226 of the Town and Country Planning Act 1990 to acquire land compulsorily. These powers may be used to acquire compulsorily land if it thinks that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land provided that it thinks that the development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objects:

⁷ North East Lincolnshire Council is a partner in both organisations.

- a) the promotion or improvement of the economic well-being of their area;
 - b) the promotion or improvement of the social well-being of their area;
 - c) the promotion or improvement of the environmental well-being of their area.
- 6.2 The Council believes that the Stallingborough Interchange Development Scheme significantly contributes to the first of these objects and will have spin off benefits in relation to the second of these.
- 6.3 In terms of the economic well-being of the area the Scheme will deliver premises for employment.
- 6.4 In terms of social well-being, through increasing the financial well-being of residents through further employment opportunities it is considered that the social consequences of unemployment and deprivation will be alleviated.
- 6.5 The vision for development of the Site is of an attractive modern industrial park. One which combines well designed development in a structured layout including efficient and sustainable transport, and landscaping incorporating sustainable drainage and heritage. The demand for this has been established through soft market testing.
- 6.6 The Stallingborough Supplementary Planning Document also explains that four particular economic sectors could benefit from the availability of this additional development land. These are:
- a) Advance Engineering and Manufacturing - a sector that South Humberside is seeking to move into.
 - b) Port Centric Manufacturing and Logistics because of the proximity to the Port of Immingham, the UK's largest port by tonnage.
 - c) Energy, where a combination of offshore operations and maintenance are expected to be supplemented by other kinds of land based green energy production.
 - d) Speciality Chemicals as South Humber has been the second biggest UK cluster for Process Industries and Chemicals.
- 6.7 Whilst the Council has sought to acquire by agreement all the land necessary for the Scheme, it has not been possible to reach terms with either the Strawsons in relation to their freehold interest in the land in Plot 1 or similarly the Hoyes in connection with Plot 2. Whilst there have been informal discussions between the Council and the parties prior to the December 2017 Cabinet decision more formal approaches were commenced in 2018 alongside the approach to the Moorcrofts. Formal offers to purchase the land have been made to both parties but have not been accepted and discussions are ongoing. It is still hoped that terms can be agreed and agreements in place which will avoid the need to use compulsory purchase powers.

- 6.8 The Council will not wish to extinguish the easements held by National Grid in respect of the location of pylons and overhead powerlines on the Strawson or Hoyes land and would acquire the land subject to these easements.
- 6.9 However, where there are agreements in respect of both parties in relation to the location of watermains and as these have not been utilised the Council will expect to extinguish these rights as they could interfere with the location of development on both Phase 1B and 2.
- 6.10 In terms of Plot 3 it is simply not possible to act with certainty in relation to past ownership of those parts of Old Kiln Lane and Ephams Lane identified in the Order. Furthermore the Council would wish to extinguish any claims to rights of access that the Hoyes have made in relation to Plot 3 as registered on their sc . It also requires flexibility in relation to its proposed layout of units and Ephams Lane if not acquired would in particular but not exclusively reduce that flexibility.
- 6.11 The Council will not however wish to extinguish any rights of access that are held by the owners of titles HS395764 and HS301319 who appear to have access to their respective sites via Old Kiln Lane. These rights will continue to exist and be accessible to those beneficiaries.
- 6.12 In conclusion, without any of the land in Plots 1, 2 and 3 it is simply not possible to progress the Scheme beyond Phase 1A. This is not acceptable given that much of the infrastructure investment today has been on the basis of delivering a larger site.
- 6.13 The Council has therefore made the Order to ensure that the significant benefits of the Scheme will be brought forward within a reasonable timescale. The use of compulsory purchase powers is considered to be necessary and justifiable in the public interest.
- 6.14 Prior to the use of compulsory purchase powers, if any parties claiming an interest in Plot 3 come forward the Council will hold discussions with those parties to see if they can prove title and subsequently sell their interest by agreement. This approach of making the Order and, in parallel, conducting negotiations to acquire land by agreement is in accordance with the guidance given in paragraph 2 of the Guidance on Compulsory Purchase Process and The Crichel Down Rules
- 6.15 The Council has given careful consideration to the need to include the parcels of land shown on the Order map. The Council is satisfied that the Order is necessary and in the public interest.
- 6.16 The Council is satisfied that there are no planning or financial impediments to the Scheme proceeding and that the Scheme is therefore likely to proceed if the Order is confirmed.

7 NO SCHEME WORLD STATEMENT

- 7.1 The Council considers that the 'No Scheme World' position is that:-

- a) The planning permission DM/0105/18/FUL has been implemented and development could take place on Plots 1, 2 and 3, subject to reserve matters approval for any development.
- b) The Council has control over both the boundaries of the Phase 1A land and the Moorcroft Land within Phase 2 in so far as access is required into Plot 3 and subsequently into Plots 1 and 2 for the purpose of commencing development in accordance with DM/0105/18/FUL.
- c) The North East Lincolnshire Local Plan determines that the long term use of the land is to be for Employment Use and it is highly unlikely that planning permission would be granted for its alternative use. The only other use is its existing use as agriculture and it could alternatively be used for forestry without the need for planning permission.
- d) There is no reasonable alternative scheme that would allow development of Plots 1, 2 and 3 without the requirement for access across land controlled by the Council.

8 RELATED ORDERS AND STATUTORY PROVISIONS

- 8.1 At present the Council has no evidence that any part of Plot 3 is a highway, bridleway or footpath and nobody has claimed this position.
- 8.2 If as a consequence of publication of the Order evidence is produced to substantiate that status then the Council will consider what powers may be required to stop up or divert any public right of way and equally consider whether there are any consequential private rights that require attending to.
- 8.3 Given that no such claim exists at the present time the Council cannot be certain what powers might be used if such a situation presents itself and is likely to hold discussions with the specialist team at the Department of Transport before making any decisions.
- 8.4 However the Council reserves its position in relation to any such statutory provisions and matters should be clearer following the end of the statutory objection period to the Order.

9 STATUTORY UNDERTAKERS.

- 9.1 National Grid and Anglia Water qualify for Statutory Undertaker Status under the terms of S8 Acquisition of Land Act 1981.
- 9.2 National Grid has the benefit of rights for operational purposes and, as stated above, it is not intended to interfere with these rights.
- 9.3 The position is less certain in respect of the Anglia Water and as such discussions and any necessary negotiations will be held with them directly.
- 9.4 Therefore for the purposes of Part III of the Acquisition of Land Act 1981 North East Lincolnshire Borough Council Lincolnshire will enter into negotiations seeking agreement with the Statutory Undertakers not to object to the Order or for the Secretary of State for Business, Energy and Industrial Strategy (National Grid) and the Secretary of State for Environment, Food and Rural Affairs (Anglian Water) to issue a certificate under Section 16 of that Act.

10 SPECIAL CONSIDERATIONS AFFECTING THE ORDER LAND

- 10.1 In the Protected Assets Certificate a nil return has been made.
- 10.2 Environmental impacts have been assessed and taken into account in the determination of the planning application. Relevant mitigation has been addressed either in the form of the development or will be addressed through compliance with the discharge of conditions. These are not relevant factors for the consideration of whether compulsory purchase powers are justified.
- 10.3 The Council is not aware of any other special considerations. The Mining Code is not being included. There are no known obstacles to further development.

11 HUMAN RIGHTS ACT AND PUBLIC SECTOR EQUALITY DUTY

- 11.1 The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights ("the Convention"). The Convention includes provision in the form of articles, the aim of which is to protect the rights of the individual.
- 11.2 Section 6 of the Human Rights Act prohibits public authorities from acting in a way which is incompatible with the Convention. Various Convention rights may be engaged in the process of making and considering a compulsory purchase order, notably the following articles:
- a) Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - b) Article 8 protects private and family life, home and correspondence. No public authority can interfere with these interests except if it is in accordance with the law and is necessary in a democratic society in the interest of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.
- 11.3 The European Court of Human Rights has recognised in the context of Article 1 that regard must be had to the fair balance which has to be struck between the competing interests of the individual and of the community as a whole. Similarly any interference with Article 8 rights must be necessary for the reasons set out. In this case, any interference with Convention rights is considered to be justified in the public interest in order to secure the regeneration of the Order Land.
- 11.4 Extensive consultation has been undertaken during the formulation of the Scheme proposals and further opportunities existed during the formulation of the Local Plan and the making of the planning applications, with the opportunity being given for interested parties to make representations regarding the proposals. Further representations can be made in the context of any public inquiry which the Secretary of State decides to hold in

connection with the Order 2. Those directly affected by the Order will be entitled to statutory compensation.

- 11.5 The Council has considered whether in the making of the Order is has discriminated, failed to advance equality of opportunity or failed to foster good relations in relation to the characteristics of persons identified in the Equality Act 2011 and has concluded that it has not failed in its duty in respect of this matter.

12 **CONCLUSION**

- 12.1 The Council has a clear idea of how it is intending to use the land it seeks to acquire as identified in the scheme now granted planning permission.
- 12.2 It has all the necessary resources to carry out its plans which are likely to be available within a reasonable timescale.
- 12.3 Finally, there is no known impediment to implementation upon confirmation of the Order.
- 12.4 For the reasons summarised above and set out more fully in this statement, the Council considers the Order to be within the necessary statutory powers and that a compelling case exists in the public interest for the making and confirmation of the Order. This then justifies interfering with the human rights of those with an interest in the land affected.

13 **LIST OF DOCUMENTS**

- 13.1 This Council relies on the following documents in support of its case for confirmation of the Order. It reserves the right to add to the list of documents as it sees fit.

1. Compulsory Purchase Order and Supporting Documents

The Order

Order Map

Order Schedule

Relevant Cabinet Reports

2. Title Documentation.

Title Details for the Council's, Strawsons, Hoyes and Moorcroft Land.

3. Planning Documents

National Planning Policy Framework

National Planning Policy Guidance

North East Lincolnshire Local Plan 2018

Application forms and key documents relating to planning application and reserved matters applications

Report NELC Planning Committee meeting and minute

Decision Notice

4.Funding documents

To be determined.

6. Legal Documents and guidance

Town and Country Planning Act 1990

Local Government (Miscellaneous Provisions) Act 1976

The Acquisition of Land Act 1981

The Compulsory Purchase Act 1965

Compulsory Purchase (Inquiries Procedure) Rules 2007

Guidance on Compulsory Purchase Process and The Crichel Down Rules

North East Lincolnshire Council

January 2021