

Cabinet – 3 March 2022

Questions from the Public

1 David Forman to Councillor Dan Swords (Portfolio Holder for Regeneration):

Firstly, what are the estimated legal costs in the event of failure in appealing the judgement of Judge Leonard, handed down 7 December 2021 in the High Court of Justice Senior Courts Costs Office, which relates to the scope of costs incurred in contesting the Compulsory Purchase Order of land at London Road North currently owned by Powerrapid Ltd?

Secondly, what is the likelihood of success in this appeal of costs as indicated by Harlow Council's legal advisors in terms of percentage?

Thirdly, is the London Road North Science Park still a "viable scheme on the land currently owned by the Council" as stated in the report approved by Cabinet on 22 June 2017, reference paragraph 5 on page 130 of the reports pack, without the 10 acres of land currently owned by Powerrapid?

Reply from Councillor Dan Swords (Portfolio Holder for Regeneration):

Thank you for your question, Mr Forman.

I would like to begin by emphasising the point in your last paragraph that the case you refer to dates back to June 2017 with the Order being made in October 2018.

In terms of your specific questions:

First, the determination of costs is still subject to a legal process and possible future court hearing, so unfortunately it is not possible to provide figures at this stage as these could only be speculation.

Second, the Council's legal advisors have not provided a percentage figure for success, however the Council is confident that there will be a substantial reduction in the costs claimed by the landowner.

Third, the development is still very much a viable scheme. This is evidenced by the fact the Council has completed three developments on the site and is at present finalising terms on a new 50,000 square foot building to commence construction later this year. Additionally, at the CPO Inquiry, Powerrapid confirmed for the first time that they were now prepared to commence development in line with the Council's Local Development Order. Discussions on this have progressed well and

we are now expecting that Powerrapid will bring forward complementary development on the site.

I hope this reassures Mr Forman both of the legal certainty he is seeking and on our commitment to delivery a fantastic Innovation Park that makes the most of our Enterprise Zone status.