

REPORT TO: CABINET

DATE: 24 MARCH 2022

TITLE: HARLOW DISTRICT COUNCIL (THE SIW HARLOW) COMPULSORY PURCHASE ORDER 2022

PORTFOLIO HOLDER: COUNCILLOR MICHAEL HARDWARE, PORTFOLIO HOLDER FOR STRATEGIC GROWTH

LEAD OFFICER: ANDREW BRAMIDGE, DIRECTOR OF STRATEGIC GROWTH AND REGENERATION (01279) 446410

CONTRIBUTING OFFICER: SIMON HILL, DIRECTOR OF GOVERNANCE AND CORPORATE SERVICES (01279) 446099

This is a Key Decision

It is on the Forward Plan as Decision Number I012848

Call-in procedures may apply.

This decision will affect the Little Parndon & Hare Street, Netteswell and Mark Hall wards specifically and all wards in principle.

RECOMMENDED that:

- A** Harlow District Council approves the making and sealing of a compulsory purchase order under the powers conferred by sections 226(1)(a) and 226(3)(a) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to:
- (i) acquire all that land shaded pink and edged red on the plans attached at appendices 1 and 2;
 - (ii) acquire all those rights (or interfere with existing rights) over the land shaded blue and edged on the plans attached at appendices 1 and 2,
- the interests in which are described in the schedule of interests, attached at appendix 3.
- B** The Director of Strategic Growth and Regeneration, in consultation with the Director of Governance and Corporate Services be authorised to take all steps, and to enter into all documentation, on behalf of Harlow District Council in connection with the making, confirmation, submission or implementation of the compulsory purchase order, including in respect of any public inquiry, appeal or legal challenge concerning the same.

- C** The Director of Strategic Growth and Regeneration, in consultation with the Director of Governance and Corporate Services be authorised to make amendments to the compulsory purchase order or other connected document provided that the proposed amendments do not significantly alter the scope of the compulsory purchase order as presented to Cabinet by this report.
- D** The Director of Strategic Growth and Regeneration, in consultation with the Director of Governance and Corporate Services be authorised to take all steps to:
- (i) negotiate agreements with any landowners, owners or occupiers of land included within the compulsory purchase order; and/or
 - (ii) negotiate agreements with any party with an interest in any land included within or affected by the compulsory purchase order,
- such agreements to include the acquisition of land or interests in land, payment of compensation or any other arrangements related to the delivery of the compulsory purchase order.

REASON FOR DECISION

(All capitalised terms in the remainder of this report are defined in the glossary appearing at the end of this report.)

- A** In accordance with sections 226(1)(a) and 226(3)(a) of the Act the Council is satisfied that the proposed CPO:
- (i) will facilitate the carrying out of development, redevelopment or improvement on or in relation to the Order Land, namely the construction of the Works (which have now been granted planning permission as shown below).
 - (ii) will, as a result of the Works, deliver the Wellbeing Benefits to the District.
 - (iii) will contribute to the progress and delivery of the HGGT Scheme which is the scheme underlying the CPO.
- B** Whilst the Council acknowledges that the use of compulsory purchase powers is a measure of last resort, the Council considers that there is little prospect of all of the Order Land as required for the Works being acquired through negotiation within a reasonable timeframe or at all. The Works have a high likelihood of being delivered if the Order Land can be acquired. The Wellbeing Benefits are dependent on acquiring the Order Land, as is the success of the HGGT Scheme.
- C** The Council is of the firm view that the use of compulsory purchase powers is justifiable and that there is a clear and compelling case in the public interest to acquire the Order Land.

BACKGROUND

1. On 15 October 2020 Cabinet considered a report on the potential use of CPO powers. The recommendations to Cabinet pursuant to the Report were approved by Full Council on 29 October 2020.
2. Pursuant to the report, Cabinet recommended that, in principle, the Council use the powers available to it under section 226(1)(a) of the Act to compulsorily purchase land within the District to support development of the HGGT Scheme. Cabinet further resolved that where it was considered necessary to make the CPO, the Head of Governance would bring the matter back to Cabinet to seek further authority. This was approved by Full Council on 29 October 2020.
3. Since the date of the Report, the HGGT Scheme has continued to progress. Homes England have entered into a grant funding agreement with HCC to procure delivery of the Works (and other associated works). HCC has, in turn, entered into agreements with PfP and ECC in order to passport the grant funding to those parties. It has been agreed that PfP and ECC will procure and deliver the Works.
- 3a. Further, planning permission for the Works was granted by the Council's Development Management Committee on Wednesday 23 February 2022 pursuant to applications HW/CRB/19/00220 (relating to the Central Stort River Crossing) and HW/CRB/19/00221 (relating to the Eastern Stort River Crossing).
4. Appended to this report are the Report and the latest draft Statement in support of the proposed CPO. The Report and the Statement contain the factual background to the CPO, the HGGT Scheme, the Wellbeing Benefits and the Works and should be read in conjunction with this report.

ISSUES/PROPOSALS

5. The use of compulsory purchase powers is a significant step and one which the Council should not promote lightly. The Council should be assured that the exercise of compulsory purchase powers is in accordance with the relevant provisions of the Act and the Guidance.
6. The remainder of this report considers those factors.

Statutory power to compulsory purchase

7. Section 226(1)(a) and s226(1A) of the Act state that (condensed by author for ease of reading):

"A local authority...shall...have power to acquire compulsorily any land in their area...if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land,

But a local authority must not exercise the power...unless they think that the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objects:

- (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.”*

8. Paragraphs 95 and 103 of the Guidance on the use of s.226(1)(a) provide that:

“This power is intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement proposals in their Local Plan or where strong planning justifications for the use of the power exist. It is expressed in wide terms and can therefore be used to assemble land for regeneration and other schemes where the range of activities or purposes proposed mean that no other single specific compulsory purchase power would be appropriate.” (95)

“The benefit to be derived from exercising the power is not restricted to the area subject to the compulsory purchase order, as the concept is applied to the wellbeing of the whole (or any part) of the acquiring authority’s area.” (103)

9. For the purposes of s.226(1)(a) of the Act:

9.1 the Council is an authority to which s.226 of the Act applies;

9.2 the Order Land is within the District;

9.3 the Works will constitute development on or in relation to the Order Land. The HGGT Scheme contains further development as described in this report and the Statement.

10. For the purposes of s.226(1A), the CPO and the Works will contribute to the achievement of the Wellbeing Benefits.

The most specific power

11. When undertaking a compulsory purchase, an acquiring authority is expected to use the most specific power available.

12. Paragraph 96 of the Guidance relates to the use of s.226 of the Act where other powers might be available and states:

“This power should not be used in place of other more appropriate enabling powers. The statement of reasons accompanying the order should make clear

the justification for the use of this specific power. In particular, the Secretary of State may refuse to confirm an order if he considers that this general power is or is to be used in a way intended to frustrate or overturn the intention of Parliament by attempting to acquire land for a purpose which had been explicitly excluded from a specific power.”

13. Compulsory purchase powers are available under the Highways Act 1980, exercisable by the local highway authorities, which could be deemed suitable for delivery of the Works. However, in this case the local highway authorities, HCC and ECC, have declined to exercise those powers because they consider planning compulsory purchase powers under the Act are more appropriate. Those planning compulsory purchase powers under the Act are more restricted in their use than those under the Highways Act 1980 and so the justification required for the CPO under the Act will be more demanding.

A compelling case in the public interest

14. Paragraph 12 of the Guidance states that:

A compulsory purchase order should only be made where there is a compelling case in the public interest.

15. The Council is of the firm view that the use of compulsory purchase powers is justifiable and that there is a clear and compelling case in the public interest to acquire the Order Land, as set out below.

Justification for the CPO within the context of the HGGT Scheme

16. The Council is committed to the HGGT Scheme and is working in partnership with EHDC, Epping Forest District Council, HCC and ECC to bring forward transformational growth within their respective districts within the HGGT Scheme. The Council approved the HGGT Vision on 6 December 2018 which seeks to ensure that any plans related to the HGGT Scheme support sustainable living and a healthy economy and provide good quality of life for existing and future residents.
17. Paragraph 4 of the Statement sets out the need for the CPO and the Works but in summary:
 - 17.1 The Order Land is required for the construction of the Works. The Works are an essential element of the HGGT Scheme and, without the Works, the HGGT Scheme could not be delivered in full as set out in the HGGT Vision as set out in the Council’s development plans.
 - 17.2 The Works will provide transport capacity improvements to facilitate growth within the HGGT Scheme and achieve the sustainable transport objectives and address existing congestion. The transport implications of the HGGT Scheme would be severe and unacceptable without the development of the Works and the planned housing and growth forming the HGGT Scheme gives rise to the need for the Works.

- 17.3 The Works are vital components of the proposed sustainable transport corridors within the HGGT Scheme and will contribute to the achievement of the mode share targets as the sustainable transport corridors will support active travel (cycling and walking) as well as a mix of affordable, rapid and high quality public transport options.
- 17.4 The Works will improve and increase transport capacity on the existing network to enable the delivery of the strategic growth areas within the HGGT Scheme.
- 17.5. The Works are considered critical infrastructure to the District and have been designated as such by the HGGT Board via the Harlow Gilston Garden Town Infrastructure Delivery Plan of April 2019. They will facilitate the delivery of the growth planned at the HGGT Scheme, which is necessary for the regeneration of the District. It will also deliver the northern section of the proposed sustainable transport corridor to Harlow town centre and will support the Council to meet its objective of having 50% of all journeys made by walking, cycling or public transport rather than private vehicles.
- 17a. Further details of the current issues within the District's infrastructure network are set out at paragraph 8.11 of the Statement. Paragraph 8.13 summarises the housing need within the District.

Planning policy context

18. The planning policy context in support of the Works is set out in paragraph 9 of the Statement. However, in summary:
19. The adopted HDLP sets out the framework to guide and shape development in the District to 2033 and beyond. The HDLP acknowledges in policies *HGT1* ("Development and Delivery of Garden Communities in the Harlow and Gilston Garden Town") and *SIR1* ("Infrastructure Requirements") that the *Spatial Development Strategy* will be underpinned by "the timely provision of infrastructure necessary to support development in the Harlow and Gilston Garden Town", with development phased over the *Local Plan* period to ensure that the correct levels of infrastructure are provided. *Policy SIR1* of the HDLP identifies 'infrastructure items which require safeguarding or have a land use implication' including:
- (a) SIR1-1 North-South Sustainable Transport Corridor and River Stort Crossing to Eastwick Roundabout;
 - (b) SIR1-2 East-west Sustainable Transport Corridor;
 - (c) SIR1-3 Second River Stort Crossing at River Way;
20. The Council is of the view that the CPO is necessary to implement the proposals of the HDLP and that there are strong planning justifications for the

use of CPO powers as proposed, and that the purpose for which the land is being acquired accords with the HLDP.

21. The Council is satisfied that the Works are in accordance with the strategic objectives of national and local policies set out in the planning policy documents.
- 21a. As stated above, planning permissions for the Works were granted by the Council's Development Management Committee on 23 February 2022.

The Wellbeing benefits

22. The Council needs to be satisfied that the tests in s226(1A) of the Act are met. The Wellbeing Benefits for the District from the Works are set out in full at paragraphs 11.14 – 11.16 of the Statement. Cabinet is referred to those paragraphs. However, in summary only the Works will deliver the following benefits to the District:
 - 22.1 improve / expand / enhance transport capacity which will facilitate increased economic activity and housing development;
 - 22.2 allow for additional sustainable transport options;
 - 22.3 facilitate additional housing of different sizes and types, including affordable housing.
- 22a Paragraphs 11.13 – 11.22 of the Statement sets out the full benefits of making the CPO, which include the benefits in the EHDC administrative area and the HGGT Scheme, which the Works will facilitate.

Financial viability

23. Paragraph 13 of the Guidance states that:

“If an acquiring authority does not: have a clear idea of how it intends to use the land which it is proposing to acquire; and cannot show that all the necessary resources are likely to be available to achieve that end within a reasonable time-scale it will be difficult to show conclusively that the compulsory acquisition of the land included in the order is justified in the public interest, at any rate at the time of its making.”
24. The Council has a clear idea of how it intends to use the Order Land; for the delivery of the Works.
25. The Council is of the view that necessary resources are available for the acquisition of the Order Land and the completion of the Works, as set out below.
26. Paragraph 14 of the Guidance advises that, when preparing its justification for an order, the acquiring authority should address the sources and timing of

funding. Paragraph 106 of the Guidance provides that a general indication of funding intentions, and of any commitment from third parties, will usually suffice to reassure the Secretary of State that there is a reasonable prospect that the scheme will proceed.

27. All costs associated with the Works and the CPO are to be met by PfP. The Council is satisfied that the necessary resources are likely to be available to achieve the intended use of the Order Land within a reasonable timescale by reference to:
- 27.1 the indication of PfP's financial standing and development experience as set out at paragraph 11.47 of the Statement;
 - 27.2 the indemnity against costs associated with the Works (including any costs resulting from blight notices) and the CPO given to the Council by PfP by way of an indemnity agreement dated 9 May 2021;
 - 27.3 the Homes England grant funding whereby £171,800,000 is made available to HCC to forward fund the delivery of the Works which HCC has agreed to passport to PfP via a contract dated 31 March 2021. The contract with PfP provides that any cost overruns are to be the responsibility of PfP;
 - 27.4 the expected planning agreement for the development of the Gilston Park Estate (an area of land within the HGGT Scheme owned by PfP and intended for residential development) whereby PfP will be responsible for delivering the Works by set timeframes that have been modelled and agreed with the highways authority, relative to the delivery of housing (which shall be restricted) in the Gilston area and planned surrounding growth. Furthermore, those Works which PfP are to deliver will form the subject of a planning obligations as against PfP and any successors in title to the current PfP residential development land.

Expedience

28. The grant funding from Homes England is time limited, with a requirement to spend the money by 2025. This places an additional imperative on the Council to pursue the CPO, as any delay in acquiring the Order Land will threaten the funding of the Works. Homes England are supportive of the HGGT Scheme and the Works and are working with HCC to ensure the full amount of grant can be spent within the required timescales.
29. In light of the above, the Council considers it is expedient to pursue the CPO now and that there are sufficiently compelling reasons for the powers to be sought at this time.

Other considerations

30. EHDC's Development Management Committee granted consent for the Works at a meeting dated 22 February 2022.
31. The CPO and the Works are dependent upon a parallel compulsory purchase order being made by EHDC. A report identical (as far as reasonably possible) to this one is being presented to EHDC's Executive on 19 April 2022.
32. Both ECC and HCC, as relevant highway authorities, will need to secure appropriate bridging orders in respect of those aspects of the Works affecting the River Stort. The bridging orders are to ensure that the Works will not interfere with the navigation rights of existing users. The Canal and River Trust has already been consulted in relation to the proposed parameters of the Works as part of the planning process. There is no reason to suggest, at this stage, that either of the bridging orders would not be made.
33. Cabinet should note that the Council would not seek to exercise the powers sought pursuant to this report unless the EHDC compulsory purchase order could progress in tandem.
34. The proposed Order Land is of significant size and of differing types. However, there are no known physical or legal impediments to suggest that the Works are unlikely to be implemented.
35. Although the CPO will, if confirmed, authorise the acquisition of land and rights for the Works only, for the purposes of the Land Compensation Act 1961, the HGGT Scheme is the scheme of development underlying the CPO to be disregarded for Compulsory Purchase purposes pursuant to Sections 5 Rule 2 and Section 6A of the Land Compensation Act 1961.
36. Paragraph 2 of the Guidance states that the acquiring authority will be expected

"...to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the Order by agreement."

The Council is of the view that it has taken reasonable steps to acquire the land and rights, albeit with all negotiations and offers to date being undertaken by PFP, acting on behalf of the Council and / or EHDC. Details of the steps taken in this regard to date are set down at paragraph 12 of the Statement. The Council can be assured that reasonable steps have been made and will continue to be made.

37. The Council considers that, as at the date of this report, all statutory procedures relevant to the CPO have been followed correctly.

Alternatives

38. Paragraph 106 of the Guidance states that the Secretary of State can be expected to consider “whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means”, including alternative proposals and alternative locations, when deciding whether to confirm an order under section 226(1)(a) of the Act.
39. As outlined at paragraph 11.21-11.22 of the Statement, there has been an investigation of the purpose of the Works and the appropriateness of other options necessary to facilitate the HGGT Scheme and it has been determined that the Works, including their design, location and extent as proposed, are the only means to achieve the planning policy and HGGT Vision objectives, including the sustainable mode share targets. The Council is satisfied that the overall need for the Works and the specific reasons for their scale and location are justified. The Council is satisfied that the land and rights included in the CPO are no more than is necessary to achieve the objectives of the CPO.

Human Rights and the Public Sector Equality Duty

40. The Council remains committed to agreeing voluntary acquisition of the Order Land where possible and such negotiations will continue alongside the CPO.
41. The Order Land is owned by numerous persons (including some in the ownership of PfP, the Council and ECC). A brief summary of the land ownership position is set out at paragraph 5 of the Statement.
42. All known owners, occupiers and users affected by the CPO have been contacted by Montagu Evans, agents of PfP, acting on behalf of the Council and / or EHDC. Formal offers have been made to all owners and tenants in an effort to acquire land and rights by agreement on behalf of PfP.
43. PfP have sought to enter into negotiations with all persons having an interest in the Order Land, with a view to acquiring all required interests for the HGGT Scheme voluntarily. Further details of which are included within the Statement.
44. Some of the negotiations have been favourable and it is expected that some of the required interests for the Works will be purchased by way of agreement. However, it appears likely that not all of the rights and land necessary to deliver the Works will be capable of being secured by way of agreement, in the time required or at all, which is why there is a need for the CPO.
45. It is approved practice for a CPO to proceed in parallel with negotiations to purchase the Order Land voluntarily and the Council shall, alongside PfP, continue to pursue negotiations.

Human rights

46. Paragraph 2 of the Guidance states that

“when making...an order, acquiring authorities...should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected.”

47. Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights.

48. Paragraph 13 of the Guidance states that:

“The minister confirming the order has to be able to take a balanced view between the intentions of the acquiring authority and the concerns of those with an interest in the land that it is proposing to acquire compulsorily and the wider public interest.”

49. Paragraph 13 of the Statement gives fuller details as to the human rights position and the Council is of the view that the purposes for which the compulsory purchase order is to be made justifies interfering with the human rights of those with an interest in the land affected for the following reasons:

49.1 compulsory purchase of land is not contrary to the European Convention on Human Rights if it is undertaken in the public interest and in accordance with the law and procedures laid down by statute;

49.2 None of the plots within the Order Land contain residential properties;

49.3 There are no businesses situated within or operating from the Order Land that would be unable to continue operating during or after the completion of the Works except for temporary periods of one to two days duration during construction.

49.4 Measures are planned to minimise detrimental impacts and interference upon certain landowners, further details of which are explained in Schedule 1 of the Statement.

49.5 There has been a significant programme of dialogue with existing business and nearby residents to understand and appropriately mitigate any detrimental impacts upon them both during construction and permanently as a result of the Works.

49.6 Affected owners and occupiers will have the benefit of all applicable compensation provisions, whether by reference to legislation concerning compulsory purchase or otherwise.

PSED

50. All public sector acquiring authorities are bound by the Public Sector Equality Duty (“PSED”) as set out in section 149 of the Equality Act 2010. Throughout the compulsory purchase process acquiring authorities must have due regard to the PSED.
51. An Equality Statement (“EqS”) has been prepared by Quod to provide information to both HDC and EHDC in relation to their use of compulsory purchase powers.
52. Attached to this report is an equalities impact assessment (“EqIA”) which details the matters relevant to the Council’s consideration of the public sector equalities duty.
53. Whilst the use of a CPO is a serious and significant step, it is considered justified on the basis of the compelling need in the public interest.
54. The EqS and the EqIA concluded that there would be no direct negative equality impacts against any protected characteristics.
55. The EqS and the EqIA also acknowledges significant potential positive impacts of the HGGT Scheme which be made possible as a result of the CPO.
56. In deciding to make the CPO the Council must be satisfied that due regard has been given to the impact of the CPO on all relevant groups with protected characteristics. In progressing the CPO the Council will continue to take into account the needs of those with protected characteristics and their PSED obligations.

Ongoing land ownership

57. It is anticipated that the majority of the Order Land will be dedicated as highway maintainable at the public expense, with the Council retaining the subsoil. It may be that the Council retains ownership of small areas of land which are not adopted by ECC following the completion of the Works, subject to the normal requirement to transfer any unused Order Land back to the original owner in accordance with the relevant provisions of the Guidance.
- 57a. Where the Council is required or requested to undertake any land transactions related to the CPO, the Works or the HGGT Scheme, such transaction shall be in accordance with the Council’s constitution and any applicable legislation.

Summary

58. In summary, Council officers are confident this is a workable and viable proposal for the CPO and would invite Cabinet to make the resolutions detailed above.

59. The Council is of the firm view that there is a clear and compelling case in the public interest to acquire the Order Land and that there is a reasonable prospect of the Works proceeding should the Order Land be acquired.

IMPLICATIONS

Strategic Growth and Regeneration

The delivery of the Stort River Crossings is supported by policies SIR-1 and SIR-3 of the Harlow Local Development Plan as essential infrastructure required for the delivery of the Harlow & Gilston Garden Town. The two river crossings have secured full planning consent and work is now required to progress these into delivery. Whilst it is hoped that all the required land within Harlow will be acquired through negotiation, the making of a Compulsory Purchase Order is considered necessary to support this and ensure delivery.

Author: Andrew Bramidge, Director of Strategic Growth and Regeneration

Finance

As set out in the report. The costs associated with the CPO process will be met in full by third party funding.

Author: Simon Freeman, Director of Finance and Deputy to the Chief Executive

Housing

As outlined in the report.

Author: Andrew Murray, Director of Housing

Communities and Environment

As contained within the report.

Author: Jane Greer, Director of Communities and Environment

Governance and Corporate Services

As set out within the body of the report.

Author: Simon Hill, Director of Governance and Corporate Services

APPENDICES

These are papers attached to the report to be included as part of the agenda pack.

Appendix 1 – Map H1 showing the Order Land

Appendix 2 – Map H2 showing the Order Land

Appendix 3 - Schedule of Interests

Appendix 4 – the Report

Appendix 5 – the latest draft Statement

Appendix 6 – EqIA

Appendix 7 – EqS.

BACKGROUND PAPERS

The Guidance

[CPO guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

HGGT Vision
[190128_spatial vision.indd \(secureservercdn.net\)](#)

Reports relating to the planning permissions for the Works
<https://moderngov.harlow.gov.uk/ieListDocuments.aspx?CIId=141&MIId=1386&Ver=4>

Glossary of terms/abbreviations used in this report

Act: the Town and County Planning Act 1990.

Council: Harlow District Council.

CPO: Harlow District Council (The SIW Harlow) Compulsory Purchase Order 2022.

District: the Harlow administrative area.

ECC: Essex County Council.

EHDC: East Hertfordshire District Council.

Full Council: the full council meeting of the Council.

Guidance: the guidance “Guidance on compulsory purchase process and the Crichel Down Rules” (July 2019 edition) (a hyperlink of which is included above with the Background Papers section).

HCC: Hertfordshire County Council.

HGGT Board: the informal strategic board concerned with the HGGT Scheme and constituted by representatives of EHDC, HCC, ECC, Epping Forest District Council and the Council.

HGGT Scheme: means the Harlow and Gilston Garden Town that is comprised of the following developments shown on the map in the HGGT Vision:

- (a) 16,500 homes in the strategic growth areas (collectively referred to as the new Garden Communities) known as:
 - (i) Gilston Area, located in East Hertfordshire District – 10,000 units across seven distinct villages, with at least 3,000 to be delivered by 2033;
 - (ii) East of Harlow, located in Harlow and Epping Forest Districts – 3,350 units;
 - (iii) Water Lane Area, located in Epping Forest District – 2,100 units;
 - (iv) Latton Priory, located in Epping Forest District – 1,050 units; and

- (b) Employment related development at the following allocated sites to deliver the equivalent of 25-29ha of new employment land (55,000sqm of offices and 205,000sqm of industrial and warehousing) by 2033 in addition to Harlow Town Centre
 - (i) 4.6ha within Harlow Business Park, at the Pinnacles for B1 uses
 - (ii) 14.2ha within the Enterprise Zone at London Road, for B1 uses
 - (iii) 2.2ha within the Enterprise Zone at East Road, Templefields for replacement industrial floorspace
 - (iv) 1ha at Dorrington Farm, Latton Priory for B1 uses
 - (v) 1ha at the new Garden Community at Latton Priory
 - (vi) 5ha at the new Garden Community in the Gilston Area for B1, B2 and B8 uses
- (c) Two primary Sustainable Transport Corridors (**STCs**) that will support active travel as well a mix of high quality public transport options. These STCs will run north to south and east to west connecting the central area and neighbourhoods and employment areas of Harlow with the new Garden Communities in Gilston, East of Harlow, Latton Priory and Water Lane.

HGGT Vision: the Harlow Gilston Garden Town Vision Document of November 2018, a hyperlink to which is included above.

Homes England: the trading name of the Homes and Community Agency.

Order Land: all that land shaded pink and edged red on the plan attached at appendices 1 and 2 together with all those rights (including interference with existing rights) over the land shaded blue and edged red on the plans attached at appendices 1 and 2, the interests in which are described in the schedule of interests, attached at appendix 3.

PfP: Places for People Developments Limited (company number 04086030).

Report: a report entitled “Resolution in principle to use compulsory purchase powers and Harlow Council land to advance the development of the HGGT” dated 15 October 2020.

Statement: the statement of reasons in support of the CPO.

Wellbeing Benefits: the economic, social and / or environmental wellbeing benefits accruing to the District as more particularly described in the paragraphs 11.13-11.16 of the Statement.

Works: those infrastructure works more particularly described in the Statement (section 2) but being in summary:

- The central Stort crossing proposal which comprises, in broad terms, alterations to the existing Fifth Avenue road/rail bridge, and creation of new bridges to support the widened highway to west of the existing structure to create the Central Stort Crosisngs, including embankment works, pedestrian and cycle facilities, a pedestrian and cycle bridge over Eastwick Road, lighting and landscaping works and other associated works (East Herts Council Reference: 3/19/1046/FUL & Harlow Council Reference: HW/CRB/19/00220); and
- The eastern Stort crossing which comprises, in broad terms, erection of a new road, pedestrian and cycle bridge; replacment of an existing rail bridge at River Way; alterations to the existing local highway network; lighting and landscaping works; listed building works to Fiddlers Brook Bridge; and other associated works (East Herts Council Reference: 3/19/1051/FUL and Harlow Council Reference: HW/CRB/19/00221).