

Manchester City Council Report for Resolution

Report to: Executive – 28 June 2023

Subject: Update on the Regeneration of Ancoats Phase 3 and the Proposed City of Manchester (Phoenix Ironworks Developments) Compulsory Purchase Order 2023

Report of: Strategic Director (Growth and Development)

Summary

The purpose of this report is to update the Executive on the activities to bring forward investment and development in the next phases of Ancoats. There has been significant work underway to deliver further sustainable growth within Ancoats Phase 3. Strategic plans for public realm and infrastructure improvements, the Ancoats Mobility Hub and new homes are now advancing to the construction phases and others are programmed to come through the planning process.

Along with noting progress, this report highlights further key recommendations associated with the use of CPO powers to facilitate land assembly to deliver new homes and infrastructure in line with the agreed development and public realm strategies for the neighbourhood.

Recommendations

The Executive is recommended to: -

Delivery

1. Note the significant progress made in delivering the projects contained within the Public Realm Strategy for Ancoats Phase 3 and the consented scheme for Ancoats Green improvements, TRO processes and construction of Ancoats Mobility Hub to support housing delivery as more particularly detailed in this report

CPO

2. Authorise the making of the City of Manchester (Phoenix Ironworks Developments Ltd) Compulsory Purchase Order 2023 (“the Order”) under Section 226(1)(a) and (1A) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 and the Acquisition of Land Act 1981 to acquire the Order Lands for the purpose set out in the Statement of Reasons attached at Appendix 4.
3. Note that all costs associated with the CPO and the acquisition of the Order Lands will be met by Phoenix Ironworks Developments Ltd who will reimburse the City Council for all costs incurred in accordance with a CPO Indemnity

Agreement to be entered into between the City Council and Pheonix Ironworks Developments Ltd.

4. Authorise the City Solicitor to seal the Order and to take all necessary steps, including the publication and service of all statutory notices and presentation of the Council's case at Public Inquiry, to secure confirmation of the Order by the Secretary of State for Levelling up, Housing and Communities and the vesting of the land in the City Council.
5. Authorise the Strategic Director of Growth and Development (if the Secretary of State notifies the Council that it has been given the power to confirm the Order) to confirm the Order, if the Secretary of State is satisfied that it is appropriate to do so.
6. Authorise the Strategic Director of Growth and Development and the City Solicitor to make deletions from, and/or minor amendments, and modifications to the proposed Order and the Order Plan or to agree to refrain from vesting any land included within the Order should this be in their opinion appropriate.
7. Authorise the Director of Development to:
 - (a) approve agreements with landowners setting out the terms of withdrawals of objections to the Order including where appropriate the exclusion of land from the Order
 - (b) negotiate terms for the acquisition by agreement of any outstanding interests in the land within the Order prior to its confirmation.
8. Authorise the Strategic Director of Neighbourhoods to take all necessary steps to secure the closure of all relevant highways streets and alleyways which are required for the development to proceed, if requested by the Director of Growth and Development.

Wards Affected: Ancoats and Beswick

Environmental Impact Assessment - the impact of the issues addressed in this report on achieving the zero-carbon target for the city

The Ancoats and New Islington Neighbourhood Development Framework and the draft Poland Street Zone public realm strategy recognise that future development within the area will be required to contribute to the City Council's objective of achieving a zero carbon target by 2038 through the active utilisation and deployment of leading building Technologies.

The Ancoats Mobility Hub is a key component in delivering a highly sustainable neighbourhood. It will directly reduce car trips and on street parking in this area, promoting a modal shift to cycling, walking and the use of public transport networks. There is also the potential for a logistics hub within the building which will provide a central location for parcel deliveries with 'final mile' delivery via a fleet of electric vehicles. The City Council is and will continue to use its land interests in the area to

deliver this outcome and this will be integrated into all aspects of the public realm delivery strategy.

Equality, Diversity and Inclusion - the impact of the issues addressed in this report in meeting our Public Sector Equality Duty and broader equality commitments

Consideration has been given to how the projects within Ancoats could impact on different protected or disadvantaged groups. Where applicable proposals will be subject to completion of an Equality Impact Assessment (EqIA) and an Anti-Poverty Assessment.

Our Manchester Strategy outcomes	Summary of how this report aligns to the OMS/Contribution to the Strategy
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	Ancoats Phase 3 will extend the city centre boundary as a sustainable mixed-use neighbourhood including new jobs and employment opportunities and access to the regional centre economy.
A highly skilled city: world class and home-grown talent sustaining the city's economic success	The proposals outlined in the Ancoats Phase 3 public realm strategy supports the opportunity to create a new mixed-use neighbourhood including new jobs and employment opportunities and easy access to the regional centre economy for residents.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	Ancoats Phase 3 will continue to provide direct employment opportunities and meet the demand for housing from residents who wish to live close to the regional centre.
A liveable and low carbon city: a destination of choice to live, visit, work	The Ancoats Phase 3 public realm strategy and the approved Ancoats and New Islington Neighbourhood Development framework offers the potential to drive forward the Manchester Residential Growth Prospectus and meeting the growing demand for new homes in the city, through the provision of high-quality neighbourhood infrastructure to serve the local community.
A connected city: world class infrastructure and connectivity to drive growth	The vision for Ancoats Phase 3 is to create a high-quality sustainable neighbourhood within the extended city centre. The public realm strategy will support the creation of a new neighbourhood in a sustainable location, adjacent to the city centre and the range of jobs, culture and leisure opportunities contained therein.

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management

- Legal Considerations

Financial Consequences – Revenue

There are no new revenue financial resources associated with this report. Any costs associated with the use of CPO will be covered by an indemnity agreement with the Developer “Phoenix Ironworks Developments Ltd”.

Financial Consequences – Capital

There are no new capital resource consequences associated with this report. Homes England and GMCA Brownfield Land Funds have been approved and delivery of projects is proceeding in line with agreed strategies.

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy, please contact one of the contact officers above.

- Ancoats and New Islington Neighbourhood Development Framework July 2014;

- Ancoats and New Islington Neighbourhood Development Framework, report to the Executive October 2014;
- Refresh of the Ancoats and New Islington Neighbourhood Development Framework, report to the Executive December 2016;
- Refresh of the Ancoats and New Islington Neighbourhood Development Framework Poland Street Zone, report to the Executive February 2020
- Refresh of the Ancoats and New Islington Neighbourhood Development Framework Poland Street Zone, report to the Executive July 2020
- Mobility Hub proposal for the Back of Ancoats, report to the Executive November 2020;
- Development Strategy for the Back of Ancoats, Progress report to the Executive September 2021;
- Manchester Zero Carbon 2018 – Manchester City Council’s Commitment, report to the Executive March 2019;
- Council Resolution on declaring a Climate Emergency, report to the Executive July 2019;
- Eastland Regeneration Framework, report to the Executive July 2019;
- Revised City Centre Transport Strategy, report to the Executive October 2019 and City Centre Engagement Outcomes, report to the Executive February 2020;
- Draft City Centre Transport Strategy, Report to the Executive September 2020.
- Executive Summary – Back of Ancoats Public Realm Strategy December 2021;
- Outcomes of the public realm consultation on the Back of Ancoats – Report to the Executive March 2022

1.0 Introduction

- 1.1 The Ancoats neighbourhood is located on the eastern edge of the city centre and is part of the Eastlands Regeneration Framework area, a refresh of which was taken to the Executive in 2018. Ancoats is an important part of the growing city centre, and its importance is further enhanced by the opportunity to complete investment in the area, within a sustainable approach to development within a place based public realm strategy.
- 1.2 The Ancoats and New Islington Neighbourhood Development Framework (NDF) was approved by the Executive in 2014, to enable the City Council to provide development principles in line with adopted planning policy in this key location on the north-eastern edge of the city centre. It was further updated in 2016 and broke the area down into several character zones.
- 1.3 One of the zones within the approved Neighbourhood Development Framework was identified as character area 3, Back of Ancoats, referred to as the Poland Street Zone which spans the area between Oldham Road, Bengal Street, the Rochdale Canal and Butler Street. (See Appendix 1). This area is now known as Ancoats Phase 3. This area has become the focus for developer interest in the area and because of this an illustrative masterplan for the area was commissioned.
- 1.4 In order to ensure that the NDF reflected these aspirations, a further review and update of the NDF Poland Street Zone (Ancoats Phase 3) was undertaken in 2020. This review took account of updated City Council strategies and adopted planning policy and provides a framework to ensure that compatible residential and commercial development opportunities are realised, and that connectivity and access to quality public amenity space area is maximised with associated changes to the movement strategy across the area. This document proposed 1,500 new residential units to be delivered in the area.
- 1.5 The NDF highlighted the provision of supporting public realm, a clear approach to place making and connectivity through the area and a coordinated approach to parking requirements and street design as central to the NDF vision for a distinctive and successful residential led neighbourhood that meets the needs of the local community. To this end, the City Council working with consultants led on the development and delivery of a public realm strategy that established development and design principles for the area providing a co-ordinated approach to public realm provision, underpinned by an implementation plan that can be referenced when working with key stakeholders in the area as development is brought forward.
- 1.6 The Public Realm Strategy (PRS) was approved by the Executive in March 2022, following a period of public consultation. To support the delivery of the projects within the strategy, successful bids were made to both Homes England and GMCA Brownfield Land Fund. £28.1m was secured from Homes England to deliver off site infrastructure including the Ancoats Mobility Hub

and public realm improvements and a further £4.7m was secured from GMCA's Brownfield Land Fund for further public realm works.

2.0 Background

- 2.1 The area referred to as Ancoats Phase 3 is located within the north-eastern fringe of the city centre, and forms part of the wider Ancoats neighbourhood. The area between Great Ancoats Street and Butler Street is a conservation area and is home to several listed and architecturally important buildings. The area borders the neighbourhoods of Miles Platting in the East, New Cross to the West, the core of Ancoats with New Islington and the city centre to the south.
- 2.2 Developer interest has for the last 20 years focused on the core of Ancoats in the area between Great Ancoats Street and Bengal Street. There are now limited development opportunities remaining in this area. The Poland Street Zone as referred to in the NDF, also known Ancoats Phase 3, is now the subject of developer interest and represents the final elements of the regeneration of Ancoats.
- 2.3 The area has been characterised by low value, low density light industrial units, surrounding an area of green space that has been the focus of antisocial behaviour and does not reflect the quality of open space elsewhere in the city. The breakdown of the grid street pattern in this area has resulted in there being no clear street hierarchy and consequently it is difficult for pedestrians to navigate. This is further manifested in the fact that the area suffers from being used as a 'rat run' for vehicles seeking to avoid Oldham Road and Great Ancoats Street. The poor physical quality of the area is also compounded by commuter and fly parking during the day adding to traffic movements. There has been very limited new build development activity in the area as sites are unviable, often contaminated and unlocking their redevelopment requires a high level of public and private co-ordination.
- 2.4 The NDF for the Ancoats Phase 3 approved in July 2020, responded to the increase in developer activity by establishing development and design principles for the area that recognised the need to establish place making objectives that underpin a public realm strategy that supports delivery of 1,500 new homes and provides the infrastructure to create a sustainable urban neighbourhood.
- 2.5 Throughout 2021 a public realm strategy for Ancoats Phase 3 was developed and consulted on in early 2022. The City Council Executive endorsed this strategy in March 2022 paving the way for the delivery of several key projects that would create the conditions to bring forward several housing developments within this area. The strategy is accompanied by a Delivery Plan that identifies a series of costed projects and interventions in a programmed schedule of activity which will support the delivery of a sustainable neighbourhood which can continue to attract an increasingly diverse population, including young families.

2.6 At the heart of the public realm strategy is the innovative Ancoats Mobility Hub which gained planning consent in summer 2021. The funding for the Hub was secured through Homes England in July 2022 and procurement of the contractor through the North West Construction Hub and further detailed design proceeded. Design changes were required through a section 73 application. Preliminary site works, and ground preparation including demolition advanced in early 2023. The construction contract between Manchester City Council and Bowmer and Kirkland was completed on 23 May 2023 and mobilisation for a formal start on site is now underway.

3.0 Update on Infrastructure Delivery Programme

3.1 The projects identified within the delivery plan, respond to feedback from both the NDF and public realm strategy consultations and are key in establishing a new neighbourhood that meets the City Council's ambitions around housing delivery, carbon zero and reducing traffic movements within the area (Appendix 2). The projects are:

- Removal of Jersey Street Bridge to create level access to both Ancoats Green and the Rochdale Canal;
- Investment and improvement of Ancoats Green to provide quality green space and play amenities for residents and visitors;
- Delivery of the Ancoats Mobility Hub – an innovative project that will deliver 406 parking spaces, removing the requirement for in curtilage parking within development plots, parcel delivery hub, cycle club, car share facility, and 25% EV charging; along with commercial ground floor uses to help animate the new neighbourhood;
- Delivery of a TRO strategy that reduces rat running, creating streets that prioritise pedestrians and cyclists over vehicles and delivers a coherent movement strategy related to the new development plots and open spaces.
- Creation of a movement strategy that reinstates key pedestrian routes through the area and into the surrounding neighbourhoods connecting Miles Platting, Ancoats and New Islington;
- Creation of an Implementation Plan that identifies a palette of materials for highways and adopted public realm that are in keeping with the conservation area and can be referenced when working with developer partners who are bringing forward schemes in the area.

3.2 Homes England and GMCA's Brownfield Land Funds amount to £32.8 million available to implement the approved Public Realm Strategy with all grants to be spent by March 2026. This funding is the subject of grant funding agreements and is to invest in place making to facilitate new homes.

Jersey Street Bridge

3.3 The removal of the bridge is an integral first step in delivering a movement strategy that creates pedestrian and cycle routes that link Ancoats Green with the Rochdale Canal and the neighbourhoods of Miles Platting and New Islington. The bridge removal and the level access it will create is the first

phase in the delivery of new links from Ancoats Green to Jersey Street and onto the Rochdale Canal.

- 3.4 A successful procurement exercise was undertaken in late 2022, and Eric Wright Civil Engineering has been appointed as principal contractor for the project. Design development has been ongoing, and work on site commenced in April 2023. The current programme indicates an October 2023 completion date for the first phase. Development of two schemes either side of the bridge will commence in late 2023 and will deliver 308 residential units and ten commercial units. On completion of these developments in Autumn 2025, the final surfacing to the bridge will be completed.

Ancoats Green

- 3.5 The delivery of quality green space at the heart of a new neighbourhood of 1500 homes has been a key objective of both the NDF and the public realm strategy. Following the endorsement of the PRS in March 2022, officers have been working with a team of consultants to bring forward a scheme that met the needs of new and existing residents and provided a level of amenity commensurate with a neighbourhood such as Ancoats.
- 3.6 A draft proposal was consulted on in Summer 2022, and further detailed design workshops were undertaken with interested parties in Autumn 2022. The outcomes of these workshops were detailed in the final design and a planning application for the park was submitted in January 2023 with planning permission being granted in March 2023.
- 3.7 The design of the park has been extended to include a plot adjacent to the Rochdale Canal that is currently unmanaged green space that cannot be developed because of 2 easements that run through it. The proposal is to create a quiet reflective area with paths that link to pedestrian routes via Jersey Street to Ancoats Green and Oldham Road, and routes to Miles Platting and New Islington.
- 3.8 The scheme went out to tender on 16 June and tender submissions are due in mid-July. The current programme indicates that contracts will be signed in early Autumn with a start on site on the main park in October 2023. The contract will run until summer 2024. It is the intention to deliver the main Ancoats Green element first, and to achieve this it will be necessary to close the park for the duration of the works. This will ensure the work can be delivered in the shortest possible time and is a more cost-effective approach to delivery. The second phase of works to Jersey Green will commence in late autumn 2025 and will be completed in early 2026.

Ancoats Mobility Hub

- 3.9 The Ancoats Mobility Hub is an innovative project that will deliver 406 parking spaces, removing the requirement for in curtilage parking within development plots, parcel delivery hub, cycle club, car share facility, and 25% EV charging;

along with commercial ground floor uses to help animate the new neighbourhood.

- 3.10 This innovative project is now on site at Poland Street and completion is expected November 2024. An operator for this facility will be procured during 2023/24.

Movement Strategy

- 3.12 A central ambition of the public realm strategy is to rebalance movement towards active travel: establishing a new people-focused street network, reducing the dominance of vehicles in the street, including measures to reduce rat running and fly parking and facilitating a clear entrance and exit strategy for the Ancoats Mobility Hub.
- 3.13 The Ancoats Mobility Hub will provide parking for several residential developments within the area alongside a central delivery facility with a last mile delivery service. This will negate the need for parking provision within individual developments and creates an opportunity to review the traffic flow through the area allowing for a modal shift away from vehicular movements and promoting pedestrian and cyclist priority. The establishment of a hierarchy of streets and lanes will create clear and legible routes through the area, and a number of nature-based interventions will act as vehicular traffic management devices while adding value to the street setting.
- 3.14 Work has been progressing to agree a movement strategy for the area that provide this hierarchy of streets and reduce vehicular movements while still enabling residents, businesses and visitors operate and move about the area in a managed way. To this end, a draft Experimental Traffic Regulation Order (ETRO) strategy has been produced and a Consultation Report to the Executive Member is currently being drafted, as well as work with key stakeholders in the area to confirm the movements still enable their businesses to operate. The ETRO is expected to be finalised and installed at the end of the summer for a period of up to 18 months, during this time members of the public and other interested parties could make objections to the proposal. It is proposed that a formal review will be undertaken at 6 months to assess the impact of the ETRO and if agreed by the Exec Member for Environment, the ETRO would then be made permanent via legal orders, once all objections and amendments to the ETRO have been agreed.

4.0 Residential development

Eliza Yard

- 4.1 This residential scheme by Manchester Life will start the regeneration of the Ancoats Phase 3 by delivering 118 new homes through a mix of one, two and three-bedroom apartments for sale on the corner of Jersey Street and Poland Street, along with commercial and workspaces on the ground floor. Disabled parking and secure cycle storage will be included in the development, with all

further parking and mobility options provided by the AMH. Current programme indicates a start on site in Autumn 2023 with completion in Autumn 2025.

Jersey Wharf

- 4.2 The second residential development by Manchester Life will deliver 190 new homes for rent and up to 7771 sq ft of commercial space on a plot between Jersey Street and the Rochdale Canal. The scheme will provide public external space that will link Prussia Street Greenway to the Rochdale Canal and Jersey Green. Disabled parking and secure cycle storage will be included within the development with all further parking requirements being provided by the Ancoats Mobility Hub. A start on site is expected in Autumn 2023 with completion in Autumn 2025.

This City/Rodney Street

- 4.3 This City's plans for the development of 128 new homes of a range of sizes and tenure types, all of which are designed to be adaptable and cater to different needs was approved by the Executive in early 2023 and is now on site with completion expected in early 2025. The Rodney Street site adjoins Ancoats Green and has been designed to create seamless pedestrian routes that link Poland Street to Butler Street via Ancoats Green and the Rodney Street site. The development will provide 27 x 1 bed, 91 x 2 bed, 8 x 3 bed and 2 x 4 bed homes with 30% rented at Manchester Living Rent levels.

Phoenix Ironworks

- 4.4 Working with the City Council, our strategic partner Manchester Life propose to develop the site known as "Phoenix Ironworks" in accordance with the NDF. The site is at the heart of Ancoats Phase 3 and critical to the delivery of the regeneration of the area. It is bounded by Naval Street to the north, Poland Street to the east, Jersey Street to the south and Radium Street to the west and currently comprises a mixture of hardstanding and warehouses developments. (Appendix 3)
- 4.5 Manchester Life via its wholly owned company "Phoenix Ironworks Developments Ltd" has already acquired the majority of the land and buildings required for the scheme with the City Council having acquired the industrial units at 1, 2 and 3 Naval Street. These strategic acquisitions demonstrate Manchester Life and the City Council's long-term commitment to deliver the regeneration of the Ancoats Phase 3 area.
- 4.6 Once fully assembled, Phoenix Ironworks Developments Ltd is proposing to deliver 256 homes made up of 1, 2 and 3 bedroom apartments and town houses with ground floor commercial space, new maker spaces and associated hard and soft landscaping.
- 4.7 Whilst the majority of the land interests have been acquired, there is the unregistered freehold interest in three plots and other rights such as rent

charges and restrictive covenants over several plots, remaining as the only outstanding acquisitions required to deliver the proposed scheme.

- 4.8 The scheme for this site has been carefully designed to leave out neighbouring buildings at 97 Jersey Street and 23 Radium Street. These are left as they are. Following an extensive public consultation, the planning application for the Phoenix Ironworks scheme was submitted to the local planning authority in June 2023.

5.0 Requirement for a Compulsory Purchase Order

- 5.1 In order for Phoenix Ironworks Developments Ltd to have clean title for the delivery of the development, certain outstanding interests must be acquired.
- 5.2 Whilst between the City Council and Phoenix Ironworks Developments Ltd the majority of interests have been acquired the unregistered freehold interest of Plots numbered 3 and 4 shown on the plan at Appendix 1 have not been purchased as Phoenix Ironworks Developments Limited has been unable to identify the ownership details to begin a dialogue.
- 5.3 Furthermore, several rights of way, rent charges, restrictive covenants and other rights to the benefit of others remain across all plots shown numbered on the plan. These rights need to be acquired for the development to successfully proceed with clean title.
- 5.4 The City Council's legal representatives have been consulted on the best way to resolve the above issues and to produce clean title for the development to progress and it has been suggested that the way forward would be for the Council to exercise its Compulsory Purchase Powers to acquire the unidentified land interests and rights required.

The Order

- 5.5 The Order Lands are in the Ancoats and Beswick Ward of North East situated within the Ancoats neighbourhood.
- 5.6 The Council's legal team has carried out a Land Referencing exercise which further details the interests and rights to be included in the Order.

Statement of Reasons

- 5.7 The Statement of Reasons attached at Appendix 4 which must be submitted with the Order and has been prepared in compliance with the revised guidance from the Department for Levelling up, Housing and Communities on Compulsory Purchase process and the Crichel Down Rules, Section 11 preparing a statement of reasons ("the Guidance").
- 5.8 The Guidance states that the Statement of Reasons should include information on the following:

- i. a brief description of the order land and its location, topographical features and present use;
- ii. an explanation of the use of the particular enabling power;
- iii. an outline of the authority's purpose in seeking to acquire the land;
- iv. a statement of the authority's justification for compulsory purchase, including reference to how regard has been given to the provisions of Article 1 of the First Protocol to the European Convention on Human rights, and Article 8 if appropriate;
- v. a statement justifying the extent of the scheme to be disregarded for the purposes of assessing compensation in the 'no scheme world';
- vi. a description of the proposals for the use or development of the land;
- vii. a statement about the planning position of the order site;
- viii. information required in the light of Government policy statements where orders are made in certain circumstances;
- ix. any special considerations affecting the order site, eg. ancient monument, listed building, conservation area, special category land, consecrated land, renewal area, etc.;
- x. if the mining code has been included, reasons for doing so;
- xi. details of how the acquiring authority seeks to overcome any obstacle or prior consent needed before the order scheme can be implemented, e.g. need for a waste management licence;
- xii. details of any views which may have been expressed by a Government department about the proposed development of the order site;
- xiii. What steps the authority has taken to negotiate for the acquisition of the land by agreement;
- xiv. any other information which would be of interest to persons affected by the order, e.g. proposals for re-housing displaced residents or for relocation of businesses;
- xv. details of any related order, application or appeal which may require a coordinated decision by the confirming Minister, e.g. an order made under other powers, a planning appeal / application, road closure, listed building; and
- xvi. if, in the event of an inquiry, the authority would intend to refer to or put in evidence any documents, including maps and plans, a list of such

documents, or at least a notice to explain that documents may be inspected at a stated time and place.

Conclusions

- 5.9 A CPO should only be made where there is a compelling case in the public interest which justifies the overriding of private rights in the land being sought to be acquired. Without the acquisition of the Order Lands it will not be possible to fully deliver the Scheme, which accords with the NDF and the recently submitted planning permission and so there is therefore a compelling case in the public interest for the acquisition of the lands. The City Council would in normal circumstances attempt to acquire all interests through negotiation, however as we are unable to identify the owners this has not been possible.
- 5.10 Notwithstanding the acknowledged impact that the Order will have in respect of human rights, regard should be had to the provision of Articles 1, the right to peaceful enjoyment of your possessions, Article 6, the right to a fair and public hearing and Article 8, the right to respect for private family life, of the First Protocol to the European Convention on Human Rights. As regards Article 1 whilst owners will be deprived of their property if the Order is confirmed and implemented, this will be done in accordance with the law and compensation will be payable under the statutory compensation code.
- 5.11 The Executive is therefore requested, having regard to the Statement of Reasons, attached at Appendix 4, to approve the recommendations outlined at the start of this report to authorise the use of compulsory purchase powers under s.226(1)(a) and s.226 (1A) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 5.12 On the basis that approval is given for the City Council to exercise its Compulsory Purchase powers the legal team will progress and submit an Order to the Secretary of State for consideration.

Timescales

- 5.12 The timescales depend on whether there are any objections to the Order. Should there be objections then there is a possibility that the matter will be brought for a Public Inquiry for the Secretary of State to consider the objections. If this was to be the case then it is estimated that it would take circa 18 – 24 months for a decision to be made, however, on the basis that no objections the process would take circa 12 -18 months.
- 5.13 Pheonix Ironworks Developments Ltd has been notified of the timescales and do agree however the two parties are in constant dialogue to do all they can to reduce the timescales and get a successful Order made.

Costs

- 5.14 Phoenix Ironworks Development Ltd has agreed to indemnify the City Council against all costs associated with the Compulsory Purchase Order.

6.0 Recommendations.

The Executive is recommended to:-

Delivery

- 6.1 Note the significant progress made in delivering the projects contained within the Public Realm Strategy for Ancoats Phase 3 and the consented scheme for Ancoats Green improvements, TRO processes and construction of Ancoats Mobility Hub to support housing delivery as more particularly detailed in this report.

CPO

- 6.2 Authorise the making of the City of Manchester (Phoenix Ironworks) Compulsory Purchase Order 2023 (“the Order”) under Section 226(1)(a) and (1A) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 and the Acquisition of Land Act 1981 to acquire the Order Lands for the purpose set out in the Statement of Reasons attached at Appendix 4.
- 6.3 Note that all costs associated with the CPO and the acquisition of the Order Lands will be met by Phoenix Ironworks Developments Ltd who will reimburse the City Council for all costs incurred in accordance with a CPO Indemnity Agreement to be entered into between the City Council and Phoenix Ironworks Developments Ltd.
- 6.4 Authorise the City Solicitor to seal the Order and to take all necessary steps, including the publication and service of all statutory notices and presentation of the Council’s case at Public Inquiry, to secure confirmation of the Order by the Secretary of State for Levelling up, Housing and Communities and the vesting of the land in the City Council.
- 6.5 Authorise the Strategic Director of Growth and Development (in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Order) to confirm the Order, if the Secretary of State is satisfied that it is appropriate to do so.
- 6.6 Authorise the Strategic Director of Growth and Development and the City Solicitor to make deletions from, and/or minor amendments, and modifications to the proposed Order and Order Plan or to agree to refrain from vesting any land included within the Order should this be in their opinion.
- 6.7 Authorise the Director of Development to:

- (a) approve agreements with landowners setting out the terms of withdrawals of objections to the Order including where appropriate the exclusion of land from the Order;
- (b) negotiate terms for the acquisition by agreement of any outstanding interests in the land within the Order prior to its confirmation.

6.8 Authorise the Strategic Director of Neighbourhoods to take all necessary steps to secure the closure of all relevant highways streets and alleyways which are required for the development to proceed, if requested by the Director of Housing and Residential Growth.

7.0 Contributing to a Zero Carbon City

7.1 The Ancoats and New Islington Neighbourhood Development Framework and the draft Poland Street Zone public realm strategy recognise that future development within the area will be required to contribute to the City Council's objective of achieving a zero carbon target by 2038 through the active utilisation and deployment of leading building Technologies.

7.2 The Ancoats Mobility Hub is a key component in delivering a highly sustainable neighbourhood. It will directly reduce car trips and on street parking in this area, promoting a modal shift to cycling, walking and the use of public transport networks. There is also the potential for a logistics hub within the building which will provide a central location for parcel deliveries with 'final mile' delivery via a fleet of electric vehicles. The City Council is and will continue to use its land interests in the area to deliver this outcome and this will be integrated into all aspects of the public realm delivery strategy.

8.0 Contributing to the Our Manchester Strategy

(a) A thriving and sustainable city

8.1. Ancoats Phase 3 will extend the city centre establishing sustainable mixed-use neighbourhoods including new jobs and employment opportunities.

(b) A highly skilled city

8.2. The proposals outlined in the Ancoats Phase 3 public realm strategy supports the opportunity to create a new mixed-use neighbourhood including new jobs and employment opportunities and easy access to the regional centre economy for residents.

(c) A progressive and equitable city

8.3. Ancoats Phase 3 will continue to provide direct employment opportunities and meet the demand for housing from residents who wish to live close to the city centre.

(d) A liveable and low carbon city

- 8.4. The Ancoats Phase 3 public realm strategy and the approved Ancoats and New Islington Neighbourhood Development framework offers the potential to drive forward the Manchester Residential Growth Prospectus and meeting the growing demand for new homes in the city, through the provision of high-quality neighbourhood infrastructure to serve the local community.

(e) A connected city

- 8.5. The vision for Ancoats Phase 3 is to create a high-quality sustainable neighbourhood within the extended city centre. The public realm strategy will support the creation of a new neighbourhood in a sustainable location, adjacent to the city centre and the range of jobs, culture and leisure opportunities contained therein.

9.0 Key Policies and Considerations

(a) Equal Opportunities

- 9.1 A key aim of Ancoats Phase 3 is to deliver residential led development providing a significant number of high-quality homes and alongside commercial development. This will both meet increasing levels of demand for housing and create new City Centre employment opportunities.
- 9.2 The new housing, commercial space and the environment created will be accessible for all sections of the community. Residents have been involved throughout the design development process and will be provided with further opportunities to engage during the delivery stage of the new development.

(b) Risk Management

- 9.3 The Ancoats Phase 3 programme will continue to be progressed in accordance with existing internal governance arrangements and within the framework of the NDF.

(c) Legal Considerations

- 9.4 Legal Services work closely with the project team to provide legal advice on all aspects of the Ancoats Phase 3, including in respect of contractual arrangements for the delivery of Phoenix Ironworks, and in relation to land assembly and disposal to facilitate scheme delivery. Legal Services will continue to support and advise the team on all aspects of this project to facilitate delivery and ensure compliance with all relevant legislation, regulations and contractual terms.

Appendices

1. Plan showing the area defined as Ancoats Phase 3

2. Plan showing the area defined as Ancoats Phase 3 with development plots and public realm projects.
3. Site Plan of Phoenix Ironworks
4. Statement of Reasons