

<b>Item No.</b> 30.	<b>Classification:</b> Open	<b>Date:</b> 13 March 2018	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Acquisition of Champion Hill, Edgar Kail Way SE22	
<b>Ward(s) or groups affected:</b>		South Camberwell	
<b>Cabinet Member:</b>		Councillor Mark Williams, Regeneration and New Homes	

## **FOREWORD - COUNCILLOR MARK WILLIAMS, CABINET MEMBER FOR REGENERATION AND NEW HOMES**

Southwark Council is doing all we can to tackle the housing crisis head-on, we have worked with private developers and housing associations to build the homes our residents need, and have also begun the largest council home build programme in the country. We will build 11,000 new council homes by 2043 and the first 1,500 will be complete, on site, or in contract by the end of this year. We are building our new council homes on a variety of sites across the borough that are in our ownership, as well as purchasing affordable homes from developers and letting them on secure council tenancies at council rents.

This report sets out the council's intention to acquire the freehold of the Champion Hill stadium site to enable the delivery of new council homes. Any such development proposals will need to be consulted on with local residents in line with our charter of principles for new council homes, and will also need to respect the Council Plan commitment to secure the long term future of Greendale and Dulwich Hamlet Football Club. In addition to delivering much needed new council homes any proposals will also need to meet the proposed policies in the New Southwark Plan (consultation on the final version having recently ended) which states that redevelopment of the site must retain the football ground and ancillary facilities, and must ensure that the football ground continues to function successfully.

Should the council be unsuccessful in acquiring the site from the current owners through negotiation then we will consider use of our statutory powers, including making a Compulsory Purchase Order, to enable the delivery of much needed new council homes on this site and maintaining the uses on the site as set out in the New Southwark Plan. Any new council homes delivered on this site will be designed in accordance with the Southwark Council Home Design Guide and will be subject to our Local Lettings Policy which will enable half of all new council homes delivered to be offered to local families on the council's waiting list.

## **RECOMMENDATIONS**

That cabinet:

1. Approve the acquisition of land at the Champion Hill stadium site, Edgar Kail Way for the purposes as to part of the site of housing delivery and the associated funding requirement as set out in the closed version of this report.
2. Authorise the director of regeneration to negotiate the purchase of the site and

agree detailed heads of terms in line with the principal terms set out in the closed version of this report.

### **BACKGROUND INFORMATION**

3. The Champion Hill stadium site is identified in the plan at Appendix A.
4. The stadium is presently home to Dulwich Hamlet Football Club. The club, which celebrates its 125th year, has been based in the vicinity of their present site since 1912.
5. The present owners acquired the site in 2014. They have previously sought to bring forward redevelopment proposals for the site. These proposals were considered to be unacceptable for a range of reasons including that they failed to deliver appropriate levels of affordable housing and relied upon relocating part of the football stadium from its present location to adjacent Metropolitan Open Land.
6. The football club have informed the council that there is now limited prospect of the club being permitted to utilise the football stadium after the end of this season.

### **KEY ISSUES FOR CONSIDERATION**

7. The proposal set out within this report is for the acquisition of the Champion Hill stadium site part of which is intended to support the council's housing delivery programme.
8. The Champion Hill stadium site comprises the football stadium and associated ancillary facilities plus an area of land at the eastern end of the site primarily comprising car parking and currently utilised as a car wash. This area of land is identified within the Council's emerging New Southwark Plan as having residential development potential and the acquisition of the overall site would enable the council to bring forward a redevelopment scheme on it that would deliver new council homes.
9. Development proposals for the eastern portion of the site would need to be tested through further design development in consultation with the local community in order to bring forward an acceptable form of residential development.
10. The council has no intention of seeking to bring about the redevelopment of the football stadium or pitch for residential purposes and acquisition of the overall site would also safeguard the football ground for continued use by Dulwich Hamlet Football Club. Officers are continuing to work with the football club and its supporters trust to offer support and assistance given their current circumstances.
11. Officers are also seeking further legal advice on the statutory powers at the council's disposal that would assist in meeting the council's vision for the site should the council be unsuccessful in securing control of the site through a purchase by private treaty. Such powers may include compulsory purchase powers and would be the subject of a future report to cabinet as required.

## **Policy implications**

12. The Council Plan 2014-18 identifies the council's promise to build more homes of every kind including 11,000 new council homes by 2043 (Fairer Future Promise 3: Quality affordable homes).
13. The vision for East Dulwich set out within the Council's emerging New Southwark Plan (AV.07) is as "a place for sports and leisure with Dulwich Hamlet Football Club being a focus for many activities and an important visitor attraction with a valuable community function" and a key component of development in East Dulwich is to provide an improved stadium for Dulwich Hamlet FC.
14. The site of the Champion Hill stadium is allocated as a key development opportunity site (NSP38). The site vision states that redevelopment of the site must retain the football ground and ancillary facilities and should provide new homes.
15. The acquisition of the site as proposed within this report would directly facilitate the implementation of the vision for this site in line with these policies.

## **Community impact statement**

16. The Equality Act 2010 imposes a general equality duty on public authorities (PSED), in the exercise of their functions, to have due regard to the need to:
  - Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.
  - Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
  - Foster good relations between people who share a relevant protected characteristic and those who do not share it.
17. For the purpose of the PSED the following are 'protected characteristic' considerations:
  - Age
  - Marriage and Civil partnership
  - Disability
  - Gender reassignment
  - Pregnancy and maternity
  - Race
  - Religion or belief
  - Sex
  - sexual orientation.
18. The proposed acquisition for the purposes of housing delivery will increase the availability of housing and it is not anticipated that there will be any adverse impact on any group with a protected characteristic

## **Resource implications**

19. The resource implications of the recommendations in this report are set out within the closed report.

### **Legal implications**

20. The legal implications of the recommendations in this report are set out below.

### **Financial implications**

21. The financial implications of the recommendations in this report are set out within the closed report.

### **Consultation**

22. Following its acquisition, the council would seek to bring forward design proposals for the car park site in consultation with the local community. Any detailed proposals would also be subject to statutory consultation in connection with a future planning application.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

23. The report sets out the recent proposals for the site with the current owner applying for a new lease in accordance under the provisions of the Landlord and Tenant Act 1954 and also bringing a planning appeal on the basis of non determination of their application. The owner withdrew both applications prior to the relevant hearing dates. The council is therefore having to consider alternative ways in order to achieve the council's vision for the site.
24. The consideration to be paid together with the Stamp Duty Land Tax arising is set out in the closed report. The price will need to represent good value for the Council and should not exceed the market value
25. In accordance with section 120(1), Local Government Act 1972, the Council has the power to acquire any land where it is for the purposes of (a) any of its statutory functions or (b) for the benefit, improvement or development of its area. Accordingly, Cabinet is able to approve the acquisition of the land and can delegate the details of the precise terms to the Director of Regeneration.
26. The report has considered the Public Sector Equalities Duty and reaches the conclusion that this decision will increase the availability of affordable housing and accordingly it is not considered that there will be any adverse impact on those people who share a protected characteristic.

### **Strategic Director of Finance and Governance**

26. Comments of the Strategic Director of Finance and Governance are set out within the closed report.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None.		

## APPENDICES

No.	Title
Appendix 1	Plan of Champion Hill Stadium Site, Edgar Kail Way

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Mark Williams, Regeneration and New Homes	
<b>Lead Officer</b>	Stephen Platts, Director of Regeneration	
<b>Report Author</b>	Matt Derry, Senior Regeneration Manager	
<b>Version</b>	Final	
<b>Dated</b>	5 March 2018	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	5 March 2018	