

GUIDANCE REQUIREMENT	SECTION IN GUIDANCE	COUNCIL'S RESPONSE
Demonstrate that there is a compelling case in the public interest to make the compulsory purchase order.	Tier 1, Stage 2 – Paragraph 12	The scheme generates significant benefits to both the local and wider area and is a significant positive for both. The scheme is of a scale and nature that will provide a catalyst for wider regeneration and revitalisation of the surrounding area and in particular will enhance the local environment and improve links to the wider area.
Demonstrate that the purposes for which the Order is made justify interfering with the human rights of those with an interest in the land affected.	Tier 1, Stage 2 – Paragraph 12	See below
The extent to which the proposed purpose will contribute to achieving the promotion or improvement of the economic, social or environmental wellbeing of the area.	Tier 2, Section 1 - Paragraph 73	<p>The Council considers that there is a compelling case in the public interest. The scheme will secure the redevelopment of the Order Land, which will in turn bring about social, economic and environmental benefits for the area. The scheme will bring widespread and compelling public benefits through much needed new housing to meet housing demand, public open space and environmental improvements.</p> <p>Battle has significant new housing need as demonstrated in the Battle Town Study and there are currently 109 households waiting for affordable rented housing on the Council's housing register.</p> <p>In particular, the Development is likely to deliver:</p> <ul style="list-style-type: none"> • 220 housing units responding to local Housing Need comprising <ul style="list-style-type: none"> • 10% 1 bedroom flats • 30% 2 bedroom houses • 30% 3 bedroom houses • 20% 4 bedroom homes • 35% Affordable Housing • Spine road which should assist in the alleviation of congestion in the town centre • Public open space

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		<ul style="list-style-type: none"> • Ecology mitigation and biodiversity compensation and improvements • Local Employment and Skills Plan • Habitat improvement and enhancement to adjacent ancient woodland • The creation of jobs during construction <p>These benefits justify interfering with the human rights of those with an interest in the land affected.</p>
Present a clear idea of how it intends to use the land which it is proposing to acquire.	Tier 1, Stage 2 – Paragraph 13	The land acquired by the Order will be used to secure the delivery of 220 dwellings, a spine road, public open space and associated works.
Demonstration that the scheme is unlikely to be blocked by any impediments to implementation. This needs to consider include financial, physical and legal considerations.	Tier 1, Stage 2 – Paragraph 15	The Council considered at Planning Committee on 10 October 2019 the various issues affecting the Order Land. This resulted in a resolution to grant planning permission for the Development. There are not considered to be any planning or other impediments which would prevent the scheme being delivered.
Demonstrate the planning framework provides the justification for an order and that there are no planning or other impediments to the implementation of the scheme.	Tier 2, Section 1 – Paragraph 74	See above
Show that all the necessary resources are likely to be available to achieve that end within a reasonable time-scale.	Tier 1, Stage 2 – Paragraph 13	<p>HIF Funding has been secured for construction of the spine road.</p> <p>The Council is considering its options regarding the funding of the remainder of the Development (see sections 25 and 26).</p>
The acquiring authority should provide substantive information as to the sources of funding available for both acquiring the land and implementing the scheme for which the land is required.as much information as possible	Tier 1, Stage 2 – Paragraph 14 (a)	See above

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<p>about the resource implications of both acquiring the land and implementing the scheme for which the land is required. Details of how any shortfalls are intended to be met. This should include:</p> <ul style="list-style-type: none"> • the degree to which other bodies (including the private sector) have agreed to make financial contributions or underwrite the scheme; and • the basis on which the contributions or underwriting is to be made. 		
<p>Evidence should be provided to show that sufficient funding could be made available immediately to cope with any acquisition resulting from a blight notice.</p>	<p>Tier 1, Stage 2 – Paragraph 14</p>	<p>See above</p>
<p>Details on the timing of the availability of the funding. Funding should generally be available now or early in the process.</p>	<p>Tier 1, Stage 2 – Paragraph 14 (b)</p>	<p>See above</p>
<p>Demonstrate how the purpose for which the land is being acquired fits in with the adopted Local Plan for the area or, where no such up to date Local Plan exists, with the draft Local Plan and the National Planning Policy Framework.</p>	<p>Tier 2, Section 1 – Paragraph 76</p>	<p>The Development complies with the policies the DaSA and the Core Strategy (and the 2006 Rother Local Plan).</p>
<p>Whether the purpose for which the acquiring authority is proposing to acquire the Order Land could be achieved by any other means.</p>	<p>Tier 2, Section 1 – Paragraph 76</p>	<p>With no certainty of securing all land interests through private treaty agreements, without which the Order Scheme would not be delivered, it is considered necessary, appropriate and in the public interest to make and seek confirmation of the Order.</p>