Emergency Powers Decision Report

Appropriation of land for Planning Purposes for land at Southlink, St Mary's.

Decision Maker: Chief Executive

Service Area: Planning, Transport and Housing Delivery
Directorate: Place
Report Author: Ben Hill – Housing Delivery Team Leader
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Date of Decision: 30th November 2026

1. Power to make the decision

The decision is being taken under the authorisation contained in paragraph 3.6 of Part 4D (Executive Procedure Rules) of the Council's Constitution that in the event of there being no Leader, Deputy Leader or Cabinet members, executive functions shall in the interim be carried out by the Chief Executive, subject to the Access to Information Rules.

2. Decision Sought

It is recommended that the Council authorises the appropriation for planning purposes in respect to the Council owned land at Southlink, Oldham in accordance with the provisions of s122 of the Local Government Act 1972.

3. Reason for urgency

To enable the disposal of the land to Vistry to proceed.

4. Risk(s) of not taking the decision

This will lead to a delay in the land being disposed of. The development will deliver 147 new affordable homes that will be let to households on Oldham's Housing Register which will be delayed should the appropriation not take place.

5. Financial impact if decision not taken forward

The Council is due to receive a capital land receipt when the disposal to Vistry takes place. This will be delayed should this decision not be taken. External grant has also been secured from GMCA to be drawn down by the developer. This could also be at risk should the project be delayed.

6. Statutory Officer clearances

a. Section 151 Officer

Name Lee Walsh
Date 9 November 2026
Comments

The report authorises the appropriation for planning purposes in respect to the Council owned land at Southlink, Oldham in accordance with the Local Government Act 1972.

At this stage there is no direct financial implications however, although not currently anticipated there maybe compensation claims to the Council arising from the appropriation of the land. The risk of this is assessed as low at this present time.

The Council owns 54.2% of site with 45.8% owned by Transport for Greater Manchester (TfGM). A future capital receipt is anticipated from the disposal of the vacant site. The final capital receipt will be known once the required terms and condition of the sale have been agreed.

b. Monitoring Officer

Name Alex Bougatef
Date 10 November 2026
Comments

The exercise of emergency powers should be undertaken in consultation with the Leader or Deputy Leader of the Council. However, the Council has not yet appointed a Leader or Deputy Leader for the current municipal year so it is not possible to consult them. In addition, there is no certainty about when a Leader or Deputy Leader will be appointed as the Council has failed at successive meetings to do so. For the reasons given in the report an urgent decision relating to the report is required and it cannot await the appointment of a Leader and Deputy Leader at some undetermined future date.