

<b>Report to:</b>	<b>COUNCIL</b>
<b>Relevant Officer:</b>	Alan Cavill, Director of Place
<b>Relevant Cabinet Member:</b>	Councillor Gillian Campbell, Deputy Leader of the Council (Tourism, Economic Growth and Jobs)
<b>Date of Meeting:</b>	23 November 2016

## **BLACKPOOL TRAMWAY EXTENSION TO BLACKPOOL NORTH STATION**

### **1.0 Purpose of the report:**

- 1.1 To consider the recommendation of the Executive from its meeting on 7 November 2016 relating to the application of the necessary order to authorise an extension of the Blackpool Tramway to Blackpool North Station.

### **2.0 Recommendation(s):**

- 2.1 To confirm the resolution made at the Council meeting on 29 June 2016 to promote a Transport and Works Act Order under the Transport and Works Act 1992 to authorise an extension of the Blackpool Tramway to Blackpool North Station; and to authorise:

- (1) The Director of Place, after consultation with the Deputy Leader of the Council (Tourism, Economic Growth and Jobs), to take all such steps as required for the Council to promote the Order, including dealing with any objections to the application, entering into agreements or commitments in relation to the Order.
- (2) The corporate seal of the Council being affixed to any documents required to be sealed in connection with the promotion of the Order.

### **3.0 Reasons for recommendation(s):**

- 3.1 Extending the Blackpool Tramway to Blackpool North Station would facilitate:
- Connectivity and integration between the existing tramway and National Rail services at Blackpool North railway station. At present, there is no connection between the tramway which runs alongside the Promenade, and the railway station. The tramway extension will improve connectivity both within Blackpool and to the wider sub-region for commuters, and for visitors accessing the resort;

- the use of public transport, by enabling visitors and residents to access the existing railway station from the tramway network, thus encouraging modal shift and reducing transport emissions;
- Regeneration and economic growth, by improving transport provision and accessibility to jobs and services, and improving the connectivity between the economically important seafront and the redeveloping town centre. The tramway extension will facilitate urban realm enhancements in the town centre as well as improving access for employers in Blackpool to a larger labour pool; and
- The promotion of quality of life through a safe and healthy built and natural environment.

3.2 In order to extend the tramway, powers are needed to construct, maintain and operate the tramway extension, and to acquire necessary land rights. The most convenient way of obtaining these powers is through a Transport and Works Act Order.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

It would have been possible to apply separately for planning permission for the Extension, and to seek to acquire all the necessary land rights voluntarily. However, this is a more complex course of action than making a single application for a Transport and Works Act Order. In addition, the Transport and Works Act Order can clarify the relationship between the operating powers for the Extension and those for the existing Tramway, which would not be possible through a planning application. The 29 June 2016 Council meeting therefore resolved to pursue a Transport and Works Act Order.

#### **4.0 Council Priority:**

4.1 The relevant council priority is: "The economy: Maximising growth and opportunity across Blackpool".

#### **5.0 Background Information**

5.1 A Transport and Works Act Order under the 1992 Act provides approval for the construction, operation and maintenance of a transport system. An order authorises the construction of the works and provides the necessary rights over land on a permanent and temporary basis. Blackpool Council intends to apply for such an

Order to undertake an extension to the Blackpool Tramway from North Pier to Blackpool North Station. The Order application will be accompanied by a request to the Secretary of State to give a direction as to deemed planning permission, along with draft planning conditions.

- 5.2 A notice was published on two separate occasions in the Blackpool Gazette to inform members of the public and other interested parties of the application. This notice was published on two separate occasions. Further notices were posted along the route of the proposed works, and sent to affected owners, occupiers and statutory consultees. The application documents were deposited in the local area (at Blackpool Central library and Fleetwood library), at instructed solicitors' offices in London and on the Council website.
- 5.3 After the application for the Order was submitted on 13 July 2016, there was a statutory period where representations, supportive comments or objections could be submitted to the Secretary of State for Transport. Two representations were made by statutory undertakers (United Utilities Water Limited and National Grid Gas plc) which did not object, but flagged matters to be considered by the Council in pursuing its scheme. It is proposed to make some minor changes to the draft Order as a result.
- 5.4 Twenty six letters of support were registered. In total, seven objections were received by the Secretary of State, of which three have since been withdrawn. Of the remaining four objections, none are from a statutory objector – that is an owner or occupier of land directly affected by the application. Three of the remaining objections are from individuals who do not live on the route and the other is from the Blackpool Licensed Taxi Operators' Association.
- 5.5 As none of the remaining objectors has a statutory right to be heard and the Secretary of State is satisfied that the issues raised by the application and the outstanding objections to it can be adequately presented and examined through the written representations procedure.

Does the information submitted include any exempt information?

No

**List of Appendices:**

Appendix 6(a) - Executive Decision Notice EX48/2016

A copy of the supporting documentation to this decision notice was submitted with the agenda for the Executive and can be found on the [Council's website](#)

## **6.0 Legal considerations:**

6.1 Preparation and submission of the application for the Order accorded with all relevant procedures and processes, guided and led by a Parliamentary Agent. The resolution recommended in this report is the second of two such resolutions required to make the application for the Order, the first being made on at its meeting on 29 June 2016.

6.2 By virtue of Section 20 of the 1992 Act, local authorities have the power to apply for Transport and Works Act Orders. In conjunction with other ancillary consents, such an Order would provide the Council with the necessary authorisation to build, maintain, and operate a relevant scheme. The power to promote an Order is, by virtue of s.20 of the 1992 Act and s.239 of the Local Government Act 1972, subject to the same conditions as would apply to a local authority were it to promote a Bill in Parliament. This means that the resolution to apply for an Order must be passed at a meeting of the Full Council and confirmed at a further meeting of Full Council after the application has been made. The first resolution was passed by Full Council at its meeting on 29 June 2016, by 26 votes to 11, with one abstention, and subject to the approval of the Executive, it is anticipated that the second resolution will be considered on 23 November 2016. In each case the necessary resolutions must be passed by a majority of the Full Council (i.e. not a majority of those present, but a majority of all Members).

## **7.0 Human Resources considerations:**

7.1 Staff time will be needed to produce documentation and manage the process, which can be found internally and through necessary specialist consultancy support.

## **8.0 Equalities considerations:**

8.1 None.

## **9.0 Financial considerations:**

9.1 The cost of preparing and submitting the application for a Transport and Works Act Order does not deviate from information provided in Executive Decision Notice EX30/2014.

## **10.0 Risk management considerations:**

10.1 For the project to proceed, it is vital that the required resolutions are passed by a clear majority of members of the authority. If the required resolutions are not made, the application cannot be progressed.

**11.0 Ethical considerations:**

11.1 None.

**12.0 Internal/ External Consultation undertaken:**

12.1 A stakeholder and public consultation process was undertaken as documented in the Consultation Report forming part of the application for the Order. Statutory consultees (including the Environment Agency, Natural England, and Blackpool Council (Flood Risk)) have also been consulted. None of those statutory bodies have raised any issues with the scheme.

Additionally, the proposal was featured in the Spring 2016 edition of Your Blackpool. A public exhibition was held in Blackpool to coincide with the submission of the application in July 2016. Further, as noted above, various notices were posted and sent and application documents were made available for public consideration, during the 42 day objection period.

**13.0 Background papers:**

13.1 None.