

## Officer Non Key Executive Decision

<b>Relevant Chief Officer (Decision Maker):</b>	Neil Jack, Chief Executive
<b>Relevant Cabinet Member (for consultation purposes):</b>	Councillor Lynn Williams, Leader of the Council
<b>Report Author (Officer name and title):</b>	Ian Morris-Illiffe, Head of Programme Management
<b>Implementation Date of Decision:</b>	12 March 2024

### Surrender of existing leases in relation to Blackpool Courts

#### 1.0 Purpose of the report:

1.1 To agree to the surrender of existing lease agreements in relation to facilities currently occupied by HM Courts and Tribunal Service at Chapel Street, Blackpool (Blackpool Magistrates and County Courts (Civic Centre)).

#### 2.0 Recommendation(s):

2.1 To agree to accept the surrender of the existing lease agreements held by HM Courts and Tribunal Service.

2.2 To agree to all other necessary legal arrangements, which allow for the legal surrender of facilities to the Council, subsequently permitting the demolition of the facilities to take place.

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

To allow the Council to take control of the existing courts site and proceed with proposals for demolition.

3.1a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.1b Is the recommendation in accordance with the Council's approved budget? Yes

3.2 Other alternative options to be considered: No

3.3 There are no alternative options being considered. HMCTS are required to surrender their

existing leases to allow the demolition of the existing facilities to take place. Failure to surrender the leases would prevent the Council having the exclusive rights to the property and therefore being unable to demolish the buildings and remediate the site.

#### **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 Blackpool Council have been working with HM Courts & Tribunal Service with respect to the relocation of the Magistrates and County to an alternative site in the town on Devonshire Road. Planning consent for new courts was granted on 27<sup>th</sup> February 2024 with HMCTS now currently in the process of procuring the works, with a view to commencing the construction later this year.

In the meantime, HMCTS have vacated their existing facilities on Chapel Street, due to the poor condition and presence of Reinforce Autoclaved Aerated Concrete (RAAC) and related health & safety concerns that this has presented.

The relocation of the courts is supported through the Town Deal project which was granted approval by the Council’s Executive Committee in 2020 and 2021. The Town Deal scheme includes for demolition of the existing facilities and remediation of the site, prior to a potential transfer of the land to the Developers (Nikal Ltd) for the delivery of Phase 3 of the Blackpool Central development.

The Council hold the freehold title to the Courts site, which also includes the former Lancashire Constabulary Divisional Headquarters and Chapel Street car park. The Council require an unencumbered title to the site prior to the demolition works taking place. HMCTS have agreed to surrender their existing leases in order to facilitate these works taking place.

5.2 Does the information submitted include any exempt information? No

#### **6.0 Legal considerations:**

6.1 Surrender of leases in relation to the existing Magistrates and County courts facilities on Chapel Street site.

In reference to HMCTS the documents also relate to lease agreements that were signed between Blackpool Borough Council and the various Secretaries of State on behalf of the Courts and tribunals service.

**7.0 Human Resources considerations:**

7.1 None as a consequence of this report.

**8.0 Equalities considerations:**

8.1 None as a consequence of this report.

**9.0 Financial considerations:**

9.1 The legal costs associated with the surrender will be borne by each party. Costs associated with future demolition are to be funded via the Town Deal project.

**10.0 Risk management considerations:**

10.1 The current courts facilities are in a poor state of repair and require demolition to facilitate wider regeneration of the area. Appropriate measures will need to be put in place to security the buildings until such time the Council are in contract with a demolition contractor to remove the buildings.

**11.0 Ethical considerations:**

11.1 None

**12.0 Internal/ External Consultation undertaken:**

12.1 Internal and external legal advice has been sought in relation to the Surrender of the leases.

**13.0 Decision of Chief Officer**

13.1 To agree to accept the surrender of the existing lease agreements held by HM Courts and Tribunal Service.

To agree to all other necessary legal arrangements, which allow for the legal surrender of facilities to the Council, subsequently permitting the demolition of the facilities to take place.

**14.0 Reasons for the Decision of the Chief Officer**

- 14.1 To allow the Council to take control of the existing courts site and proceed with proposals for demolition.