

<b>Notice of:</b>	<b>EXECUTIVE</b>
<b>Decision Number:</b>	EX18/2020
<b>Relevant Officer:</b>	Alan Cavill, Director of Communications and Regeneration
<b>Relevant Cabinet Member:</b>	Councillor Mark Smith, Cabinet Member for Business Enterprise and Job Creation
<b>Date of Meeting:</b>	23 March 2020

## **RELEASE OF LAND FOR RESIDENTIAL DEVELOPMENT**

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

- 1.1 To consider the disposal of land at Ryscar Way and Bispham Road in Blackpool and Blackpool Road in Poulton le Fylde.

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

- 2.1 To approve the disposal to Bidder A for land at Ryscar Way Blackpool and delegate contractual matters to the Director of Communication and Regeneration.
- 2.2 To delegate authority for the use of land at Bispham Road Blackpool to the Director of Communications and Regeneration, after consultation with the Cabinet Member for Business Enterprise and Job Creation and the Cabinet Member for Housing and Welfare reform.
- 2.3 To delegate authority for the disposal of land at Blackpool Road, Poulton le Fylde to the Director of Communications and Regeneration, after consultation with the Cabinet Member for Business Enterprise and Job Creation.
- 2.4 To delegate to the Director of Communications and Regeneration to make any payments as necessary to the developers or for infrastructure works from the ring fenced grant funding received from the One Public Estate programme for the use on these three sites only.
- 2.5 To authorise the Head of Legal Services to prepare legal documentation and enter into appropriate documents as necessary to complete any transactions.

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

- 3.1 The sale of land to Bidder A follows a marketing exercise where the site was marketed on two separate occasions directly to house builders and their offer was the only unconditional offer and highest scoring, this is outlined in Appendix 5a, to the Executive report (exempt from publication).

The sites at Blackpool Road and Bispham Road have not yet achieved planning consent albeit this is in process and marketing has begun. As the One Public Estate programme is monitored and milestones need to be achieved as a condition of the grant funding, delegation will ensure those timescales are met. Originally all three sites had to be released by 31 March 2020 and an extension to this timescale has been agreed. The delegation provides added comfort to Ministry for Housing, Communities and Local Government, Cabinet Office and Local Government Association that the grant funding provided will be spent and the land to be released or use agreed for all sites by September 2020.

- 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:

To approve the Ryscar Way disposal and not delegate the Bispham Road and Blackpool Road delegations although this could put at risk the grant funding received if the milestones are not met.

### **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 The Council applied for grant funding under the Land Release Fund One Public Estate Programme (LRFOPE) in October 2017 and submitted the three sites for consideration. In February 2018 the Ministry of Housing Communities and Local Government confirmed to the Council it had been successful in applying for £3.15m of grant funding to bring forward the three sites for new homes.

- 5.2 Following receipt of the grant funding the Council's Growth and Prosperity team has undertaken extensive surveys and drawings and submitted outline planning

application for all three of the sites. Ryscar Way achieved outline planning consent in July 2019 and the sites at Bispham Road and Blackpool Road where the planning applications are still progressing.

5.3 The Council's planning applications are outline and public consultation as per the usual planning process has been undertaken and there will be a further opportunity for public consultation when the developers submit their full planning applications.

5.4 The development of these sites is important for three reasons:

- (i) they will provide significant capital receipts to the Council which will fund vital services in Blackpool;
- (ii) they will provide for much needed good quality family homes, and
- (iii) they will allow the Council to meet its five year housing supply and therefore applications for unsuitable sites have a better chance to be refused.

The sites may provide for some commercial uses in line with local area needs, however the overriding aim is for these sites to provide residential homes for families.

5.5 Does the information submitted include any exempt information? No

5.6 **List of Appendices:**

Appendix 5a – summary of offers received for Ryscar Way (confidential)

Appendix 5b – Plan of Ryscar Way

Appendix 5c – Plan of Bispham Road

Appendix 5d – Plan of Blackpool Road

6.0 **Legal considerations:**

6.1 The Council's Legal Services will use such resources as required and carry out due diligence then enter into appropriate documents to secure the disposals.

7.0 **Human Resources considerations:**

7.1 None for the Council.

8.0 **Equalities considerations:**

8.1 The planning process will ensure that the homes to be built will contain a good housing mix and suitable to meet demands for the area.

## **9.0 Financial considerations:**

- 9.1 The disposals will generate substantial capital receipts for the Council to re-invest in services.
- 9.2 The £3.15m of grant funding from the Land Release Fund One Public Estate Programme will be used to fund all costs associated with bringing forward the three sites.
- 9.3 As part of the discussions on Blackpool Road the Council's rural consultant is in discussions with the tenant farmer on the basis that the Council acquire that interest for a price, and thereby accept a surrender of the lease; or, agree that the lease is surrendered in return for the farmer obtaining ownership of the farm house and immediately surrounding land. These discussions relate to the farmer's rights under existing farming legislation and are ongoing; these costs will be funded using the Land Release Fund One Public Estate Programme monies.

## **10.0 Risk management considerations:**

- 10.1 There is a risk in relation to Bispham Road which is subject to approval from the Secretary of State for Education as the land in part was previously used for education. Discussions are ongoing with the Department for Education on the Council's application.
- 10.2 Discussions with Sport England and the Council's Leisure Services department are ongoing to provide suitable playing pitches in relation to Bispham Road. If there is no agreed resolution with Sport England this will delay progression on the scheme.
- 10.3 There is no reason why any of these sites' planning applications should be refused, based on the investigations, discussions with planners and amendments made. However, if a permission is refused there is a strong likelihood of obtaining approval by way of a planning appeal and this will be actioned if required.
- 10.4 The Land Release Fund One Public Estate Programme monies will be sufficient to cover any planning appeals should they become necessary.

## **11.0 Ethical considerations:**

- 11.1 The role of the Council's planning department is a statutory role and independent of the Council's decision making process. Furthermore the site at Blackpool Road is outside the Council's boundary and the decision will be taken by a neighbouring authority.

**12.0 Internal/ External Consultation undertaken:**

12.1 Internal: Growth and Prosperity Programme Director, Growth and Prosperity Board, Finance, Legal, Community and Environmental Services.  
External: One Public Estate, Local Government Association, Cabinet Office, Department for Education, Sport England, Wyre Borough Council.

**13.0 Background papers:**

13.1 None.

**14.0 Key decision information:**

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14.1 Is this a key decision? Yes

14.2 If so, Forward Plan reference number: 18/2019

14.3 If a key decision, is the decision required in less than five days? No

14.4 If **yes**, please describe the reason for urgency:

**15.0 Call-in information:**

15.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? No

15.2 If **yes**, please give reason:

**TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE**

**16.0 Scrutiny Committee Chairman (where appropriate):**

Date informed: 13 March 2020 Date approved:

**17.0 Declarations of interest (if applicable):**

17.1 None.

## **18.0 Executive decision:**

### **18.1 The Executive resolved as follows:**

1. To agree that Appendix 5a, to the Executive report, summary of offers received for Ryscar Way is not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
2. To approve the disposal to Bidder A for land at Ryscar Way Blackpool and delegate contractual matters to the Director of Communication and Regeneration, subject to the completion of an appraisal as to the feasibility of the development of the land for social housing by one of the Council's wholly owned companies.
3. To delegate authority for the use of land at Bispham Road Blackpool to the Director of Communications and Regeneration, after consultation with the Cabinet Member for Business Enterprise and Job Creation and the Cabinet Member for Housing and Welfare reform and subject to the completion of an appraisal as to the feasibility of development of the land for social housing by one of the Council's wholly owned companies.
4. To delegate authority for the disposal of land at Blackpool Road, Poulton le Fylde to the Director of Communications and Regeneration, after consultation with the Cabinet Member for Business Enterprise and Job Creation.
5. To delegate to the Director of Communications and Regeneration to make any payments as necessary to the developers or for infrastructure works from the ring fenced grant funding received from the One Public Estate programme for the use on these three sites only.
6. To authorise the Head of Legal Services to prepare legal documentation and enter into appropriate documents as necessary to complete any transactions.

### **18.2 Date of Decision:**

23 March 2020

### **19.0 Reason(s) for decision:**

The sale of land to Bidder A follows a marketing exercise where the site was marketed on two separate occasions directly to house builders and their offer was the only unconditional offer and highest scoring, this is outlined in Appendix 5a, to the Executive report (exempt from publication).

The sites at Blackpool Road and Bispham Road have not yet achieved planning consent albeit this is in process and marketing has begun. As the One Public Estate programme is monitored and milestones need to be achieved as a condition of the grant funding, delegation will ensure those timescales are met. Originally all three sites had to be released by 31 March 2020 and an extension to this timescale has been agreed. The delegation provides added comfort to Ministry for Housing, Communities and Local Government, Cabinet Office and Local Government Association that the grant funding provided will be spent and the land to be released or use agreed for all sites by September 2020.

The amendments around the investigation of the feasibility of one of the Council's wholly owned companies developing the sites at 2 and 3 enable the Executive to be assured that all options for delivering housing for Blackpool residents have been properly considered.

**19.1 Date Decision published:**

24 March 2020

**20.0 Executive Members in attendance:**

20.1 Councillor Blackburn, in the Chair

Councillors Benson and L Williams.

**21.0 Call-in:**

21.1

**22.0 Notes:**

22.1