

Notice of:	EXECUTIVE
Decision Number:	EX24/2020
Relevant Officer:	Alan Cavill, Director of Communications and Regeneration
Relevant Cabinet Member:	Councillor Simon Blackburn, Leader of the Council
Date of Meeting:	15 June 2020

PURCHASE OF LAND AT DEVONSHIRE ROAD, BLACKPOOL

1.0 Purpose of the report:

- 1.1 To seek agreement to proceed with the acquisition of land at Devonshire Road, Blackpool (former Devonshire Road Hospital site).

2.0 Recommendation(s):

- 2.1 To approve in principle the acquisition of land at Devonshire Road, subject to the financial limits outlined in Appendix 3b, to the Executive report.
- 2.2 Subject to 2.1, to delegate to the Chief Executive, after consultation with the Leader of the Council, to reach agreement with the vendor as to the purchase price and complete the transaction.
- 2.3 To delegate authority to the Head of Legal Services to enter into any proposed legal agreements relating to acquisition of the Devonshire Road site.

3.0 Reasons for recommendation(s):

- 3.1 To safeguard the site for the future potential development of Blackpool Magistrates and County Courts and/or other strategic developments.

To enable the relocation of Blackpool Magistrates and County Courts and to facilitate the delivery of the 'Blackpool Central' development, a major regeneration and investment scheme, previously approved by the Council.

To utilise the vacant and undeveloped Devonshire Road site which has been identified as the preferred location by Her Majesty's Courts and Tribunals Services (HMCTS).

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| 3.2 | Is the recommendation contrary to a plan or strategy adopted or approved by the Council? | No |
| 3.3 | Is the recommendation in accordance with the Council's approved budget? | Yes |

4.0 Other alternative options to be considered:

- 4.1 Not to progress the acquisition of the site and to review alternative options available, or leave the acquisition until a future point in time.

This would run the risk of the site being sold to a third party; it also may result in the Council not being able to find another suitable site at an appropriate time to relocate the Courts and thus jeopardise the delivery of Blackpool Central, or it may result in the Council having to acquire a site under the terms of a compulsory purchase order, which would have further time and financial implications.

5.0 Council priority:

- 5.1 The relevant Council priority is: "The economy: Maximising growth and opportunity across Blackpool".

6.0 Background information

6.1 Blackpool Central Development

In January 2020 the Council entered into an agreement for the disposal of a large portion of the former Central Leisure Quarter site. This disposal by way of long leases to be drawn down in phases would enable the delivery of the 'Blackpool Central' project with developers Nikal Ltd and media company Media Invest Entertainment (MIE).

The agreement with Nikal and MIE will see the disposal of all of the existing surface car parking area, land and buildings associated with King Edward properties and the existing Bonny Street Market site.

The developer is also looking to acquire the area of the site currently occupied by Blackpool Magistrates and County Courts. The area forms part of a Phase 3 of the Blackpool Central development and is a critical element to the overall delivery of the masterplan for the scheme, covering approximately 30% of the site. The ability to develop out the whole site and complete the masterplan presented by the developers cannot be understated with its transformational benefits bringing about greater

opportunities for visitor attractions, local employment and supply chain spend and general economic growth across the resort.

6.2 Provision of New Court Facilities

There has been a longstanding ambition of the Council to work with Her Majesty's Courts and Tribunals Services to look at alternative sites for the courts within the town.

Blackpool Council hold the freehold title to the existing courts site, however Her Majesty's Courts and Tribunals Services have a number of long lease arrangements in place under the existing legal arrangements.

The existing courts were constructed in the late 1960's, the buildings are in extremely poor condition, inefficient, with very poor accessibility and are located in the heart of the tourism and visitor area within the town centre. The premises are of monolithic concrete construction and are integrated with the former Lancashire Constabulary Divisional Headquarters building (multi-storey tower). The former police building was acquired by the Council in 2016, with the police having vacated the premises to new accommodation in December 2018. This element of the facilities remains vacant and is also in a very poor state of repair.

The Council in collaboration with Her Majesty's Courts and Tribunals Services has undertaken a desk top site feasibility exercise which reviewed alternative site locations for a new court building. This was supported and funded by the One Public Estate Group, a body established by Central Government to support cross sector working in the public sector.

The feasibility exercise reviewed alternative locations for potential new court facilities in line with the Courts Design Guidance and a defined list of criteria relating to space, design and accessibility. The exercise undertaken reviewed eight potential sites in and around Blackpool.

Following this desk top study and the evaluation of the eight sites, it was established that the Devonshire Road site met all of the necessary criteria and was ranked as the key priority site for the delivery of new courts facilities, should this be realised in the near future.

Dialogue with Her Majesty's Courts and Tribunals Services and central government departments is continuing, with the parties working collaboratively in the next stages of the project and progressing to work up a Green Book Business Case for the development of new court facilities. This will then be presented to central government with a view to securing funding for the construction of new facilities in due course.

6.3 Devonshire Road Site

The Devonshire Road site is currently owned by Maple Grove Developments (Part of the Eric Wright Group). (See Appendix 3a to the Executive report- site plan).

6.4 Attached at Appendix 3b, to the Executive report, is the budget estimate that enables the scheme to be financially viable. The costings would however undermine the Council's position in continuing negotiations so at the time of publication this document is not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

6.5 Does the information submitted include any exempt information? No

7.0 **List of Appendices:**

7.1 Appendix 3a: Red line Plan of proposed site.
Appendix 3b: Financial Considerations (exempt from publication)

8.0 **Legal considerations:**

8.1 Section 120 of the Local Government Act 1972 enables the Council to acquire any land by agreement for the purposes of

(a) any of their functions under this or any other enactment, or
(b) the benefit, improvement or development of their area

9.0 **Human resources considerations:**

9.1 None.

10.0 **Equalities considerations:**

10.1 None.

11.0 **Financial considerations:**

11.1 The Council has been in negotiations with Maple Grove Developments in relation to the Devonshire Road site over the past few months. It is understood that whilst they had proposals for potential development of the site that they would agree to sell the site to the Council, subject to the purchase completing by 30th June 2020.

11.2 The details relating to the negotiations with Maple Grove Developments are contained with Appendix 3b, to the Executive report (Financial Considerations).

- 11.3 With regards to the funding for the acquisition, this should be considered in the context of the delivery of the wider strategic vision for the delivery of the Blackpool Central scheme. This scheme, including the relocation of the Courts project is currently included on a list of projects within the emerging Town Investment Plan being submitted to Government later this year under the Towns Fund initiative. The Town Investment Plan includes a wide range of schemes which will be considered by the Blackpool Town Deal Board, a vehicle established to manage and oversee the development and submission of the Town Investment Plan and the bid for £25million of Town Deal funding to implement key elements of the overall Town Investment Plan. Final guidance is awaited from Government but further meetings of the Town Deal Board are scheduled to take place in June (and July if necessary) to agree and prioritise those schemes to be included in the bid for Town Deal funding. Given the overall strategic priority of the delivery of the Blackpool Central scheme to Blackpool's economic future it is likely to be a high priority for inclusion and thus provide a source of funding to secure this site.
- 11.4 There are likely to be revenue costs incurred for the holding of the site until such time as it is developed. These costs would include business rates, site security, general management and maintenance.

12.0 Risk management considerations:

- 12.1 The Council has reviewed a number of sites across Blackpool, with the Devonshire Road site being determined as the preferred site.
- 12.2 The availability of suitable alternative sites for the delivery of new courts is limited across the town, with most sites being currently developed upon or not meeting the defined criteria suitable for court locations.
- 12.3 There is a current opportunity available to acquire the Devonshire Road site. Negotiations with the land owner have been successful in determining a site value which is agreeable to both parties. Should this opportunity be missed, the land owner is likely to progress with alternative development options on the site, thereby making the land unavailable in the future. It may also mean that the courts remain on the Blackpool Central site for the long term, blighting the new development and having a negative impact on the delivery of the Developers proposals.
- 12.4 Given that discussions are currently being undertaken with Her Majesty's Courts and Tribunals Services, there is no timeframe that can be put forward for the delivery of new court facilities at this present time. However, progress has been very positive over recent months and the Council are hopeful of securing funding and further Government support for the project in the not too distant future.

12.5 Should the proposal for the relocation of the courts not come to fruition, then the land could be utilised for future housing development. This would be consistent with planning policy, with 25 residential units currently being delivered on the adjacent site developed by Great Places Housing Group. *see note below The Executive at its meeting emphasised that this would not be a speculative housing development but rather a potential windfall site for social housing if the relocation did not take place.

13.0 Ethical considerations:

13.1 None.

14.0 Internal/external consultation undertaken:

14.1 Internal consultation has been undertaken with Legal Services and the Finance Department. The proposal to acquire the site has also been approved by the Growth and Prosperity Board.

14.2 External consultation has been undertaken with Her Majesty's Courts and Tribunals Services to confirm the suitability of the site. Discussions and negotiations have also been undertaken with the current land owner (Maple Grove Developments).

14.3 Discussion has also been held with the National Probation Service, who have expressed an interest in the future delivery of new Court facilities and who may be interested in development on the site.

15.0 Background papers:

15.1 Executive Decisions EX57/2018 and EX22/2019 (relating to Blackpool Central).

16.0 Key decision information:

16.1 Is this a key decision? Yes

16.2 If so, Forward Plan reference number: 1/2018

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

16.4 If yes, please describe the reason for urgency:

17.0 Call-in information:

17.1 Are there any grounds for urgency, which would cause this decision to be

exempt from the call-in process? No

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

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE

18.0 Scrutiny Committee Chairman (where appropriate):

Date informed: 5 June 2020 Date approved:

19.0 Declarations of interest (if applicable):

19.1 None.

20.0 Executive decision:

20.1 The Executive agreed the recommendations as outlined above namely:

1. To agree that Appendix 3b, to the Executive report, Financial estimates is not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
2. To approve in principle the acquisition of land at Devonshire Road, subject to the financial limits outlined in Appendix 3b, to the Executive report.
3. To delegate to the Chief Executive, after consultation with the Leader of the Council, to reach agreement with the vendor as to the purchase price and complete the transaction.
4. To delegate authority to the Head of Legal Services to enter into any proposed legal agreements relating to acquisition of the Devonshire Road site.

21.0 Date of Decision:

21.1 15 June 2020

22.0 Reason(s) for decision:

22.1 To safeguard the site for the future potential development of Blackpool Magistrates and County Courts and/or other strategic developments.

To enable the relocation of Blackpool Magistrates and County Courts and to facilitate the delivery of the ‘Blackpool Central’ development, a major regeneration and investment scheme, previously approved by the Council.

To utilise the vacant and undeveloped Devonshire Road site which has been identified as the preferred location by Her Majesty’s Courts and Tribunals Services (HMCTS).

23.0 Date Decision published:

23.1 16 June 2020

24.0 Executive Members in attendance:

24.1 Councillor Blackburn, in the Chair

Councillors Benson, Brookes, Campbell, Farrell, Hobson, Kirkland, Smith, I Taylor and L Williams

25.0 Call-in:

25.1

26.0 Notes:

26.1 *The Executive at its meeting emphasised that this would not be a speculative housing development but rather a potential windfall site for affordable housing if the relocation did not take place.

The following non-Executive member was in attendance:

Councillor Collett