

<b>Notice of:</b>	<b>EXECUTIVE</b>
<b>Decision Number:</b>	EX25/2020
<b>Relevant Officer:</b>	Alan Cavill, Director of Communications and Regeneration
<b>Relevant Cabinet Member</b>	Councillor Simon Blackburn, Leader of the Council
<b>Date of Meeting:</b>	15 June 2020

## THE REGENERATION OF PHASE THREE TALBOT GATEWAY

### 1.0 Purpose of the report:

- 1.1 To consider the next, third, phase of Talbot Gateway regeneration in accordance with the Development Agreement dated 12 March 2009 between the Council and Muse Developments Ltd (the Developer), bringing in a wider development area in order to satisfy the current demands in the market.

### 2.0 Recommendation(s):

- 2.1 To agree, in principle, that if other options are exhausted then the Council would consider the use of Compulsory Purchase Order powers to assemble the site outlined in Appendices 4a and 4b, to the Executive report.
- 2.2 To authorise the Chief Executive to pursue detailed negotiations with the developer and other interested parties as necessary.
- 2.3 To delegate authority to the Chief Executive to authorise expenditure and contracts pursuant to (2.2).
- 2.4 To instruct relevant Officers to commence all necessary preparatory works for the making of a Compulsory Purchase Order to support the site assembly of the land required for the third phase of the regeneration and any associated road improvements and road closures.
- 2.5 That Officers be required to bring a further report to the Executive to authorise the making of a Compulsory Purchase Order should such powers be required.

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

3.1 To enable the development of a new grade 'A' town centre office building with a Gross Internal Area of circa 20,000 square metres.

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 None.

### **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 Property Matters**

Members will be aware that proposals for the regeneration of the Talbot Gateway were originally approved by the Executive on 17 September 2008 (EX64/2008 refers) and that following approval to make a Compulsory Purchase Order on the same day (EX65/2008 refers). "The Blackpool Borough Council (Talbot Gateway) Compulsory Purchase Order 2010" (EX8/2010 refers) was made for the entire area within the boundary of the Development Agreement, shown edged and shaded blue on the plan 'Appendix A'. In order to facilitate the development of the Council Offices a General Vesting Declaration was made so that the office development could proceed.

The Talbot Gateway Developers Brief, adopted Nov 2006, included land off King Street, which was excluded from the land within the Development Agreement area.

At the Executive Meeting of the 25 February 2019, officers were authorised in EX23/2019 to carry out concept and initial design to meet the potential demands of a specific grade 'A' office accommodation requirement.

In this respect the Council is in active negotiations with an end user who is seeking a building of circa 20,000sq.m. for office accommodation in the town centre. One of that user's specified requirements is that it is located on one site, and this cannot be achieved within the Talbot Gateway Development Area, without including other land. (NB in due course this would require an amendment to the Development Agreement itself to be made, a matter that will be reported separately to the Executive).

The Council has considered the land shaded yellow on the plan at Appendix 4a to be required in order to facilitate the correct sized office accommodation in one location and, since the original Talbot Gateway Developers Brief, included this area, any office development, would be in accordance with the Developers Brief.

The proposed Phase Three land is also shown separately edged red on the plan at Appendix 4b, to the Executive report.

The parties within the area potentially to be the subject of a Compulsory Purchase Order are aware that the Council are considering the future planning of the area and notices under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 have been served requiring information as to ownership of the properties.

This area clearly affects land other than land in the Council's ownership. Whilst the Council is already pursuing discussions with the interested landowners following meetings with owners/occupiers it is clear that the acquisition by agreement of all of the subject land may not be possible within a realistic timeframe or at all. Consequently, the Council has to consider whether it would support securing the whole of the area required for the regeneration by utilising Compulsory Purchase powers in effecting site assembly and pursuing any necessary road closures. This is a normal process in large regeneration projects.

The Council has been acquiring property within the land required for Phase Three and has the controlling interest of 91% of the property required. In order to progress with Phase Three it is vital that the remaining interests are acquired to complete the assembly of the whole site as soon as practicable.

## **6.2 Compulsory Purchase Powers**

There are a range of powers which the Council can use to facilitate land assembly. In the circumstances the powers under Section 226 of the Town and Country Planning Act would be the most appropriate. This allows the Council to acquire land which is 'suitable for and required in order to secure the carrying out of development, re-development or improvement', or is required for the 'proper planning of an area'.

The Council recognises that it would be premature at this stage to make a Compulsory Purchase Order whilst negotiations are continuing. Consequently, it is proposed that a further report be submitted to the Executive to authorise a Compulsory Purchase Order should the negotiations for the remaining interests not be concluded in a timely manner and upon the Council being satisfied that there is a compelling case in the public interest to do so.

The Director of Communications and Regeneration accepts that the Executive will need to be satisfied that all reasonable attempts have been made to assemble the site through

negotiation as compulsory purchase should be used as a 'last resort'. The Council has been progressing voluntary acquisitions for some time and will continue to do so.

### 6.3 **Conclusions**

Should the Executive be prepared to agree by approval of the recommendation in principle to making a Compulsory Purchase Order, a further detailed report would be submitted if reasonable attempts to assemble the site through negotiation in a timely manner are unsuccessful.

These recommendations towards a Compulsory Purchase Order would create greater certainty amongst stakeholders that the site will be assembled in a timely manner to enable the scheme to be implemented. This would enable such stakeholders to plan their business accordingly. It will similarly reaffirm the Council's support for the scheme.

6.4 Does the information submitted include any exempt information? No

### 7.0 **List of Appendices:**

7.1 Reference plans:  
Appendix 4a plan v3  
Appendix 4b plan v2

### 8.0 **Legal considerations:**

8.1 None at this time.

### 9.0 **Human resources considerations:**

9.1 None.

### 10.0 **Equalities considerations:**

10.1 None.

### 11.0 **Financial considerations:**

11.1 The final terms of each acquisition will be subject to valuation and negotiation.

### 12.0 **Risk management considerations:**

12.1 None at this time.

**13.0 Ethical considerations:**

13.1 The Council will endeavour to acquire the necessary properties by negotiation and will only seek to use Compulsory Purchase Order process as last resort.

**14.0 Internal/external consultation undertaken:**

14.1 Growth and Prosperity Programme Director, Growth and Prosperity Board, Head of Legal Services and Muse Developments

**15.0 Background papers:**

15.1 None.

**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, in principle, that if other options are exhausted then the Council would consider the use of Compulsory Purchase Order powers to assemble the site outlined in Appendices 4a and 4b, to the Executive report.
2. To authorise the Chief Executive to pursue detailed negotiations with the developer and other interested parties as necessary.
3. To delegate authority to the Chief Executive to authorise expenditure and contracts pursuant to decision 2.
4. To instruct relevant Officers to commence all necessary preparatory works for the making of a Compulsory Purchase Order to support the site assembly of the land required for the third phase of the regeneration and any associated road improvements and road closures.
5. That Officers be required to bring a further report to the Executive to authorise the making of a Compulsory Purchase Order should such powers be required.

**21.0 Date of Decision:**

21.1 15 June 2020

**22.0 Reason(s) for decision:**

22.1 To enable the development of a new grade 'A' town centre office building with a Gross Internal Area of circa 20,000 square metres.

**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 following non-Executive member was in attendance:

Councillor Collett