

Notice of:	EXECUTIVE
Decision Number:	EX33/2020
Relevant Officer:	Alan Cavill, Director of Communications and Regeneration
Relevant Cabinet Member:	Councillor Mark Smith, Cabinet Member for Business, Enterprise and Job Creation
Date of Meeting:	13 July 2020

BLACKPOOL CENTRAL – Preparatory site assembly works

1.0 Purpose of the report:

1.1 To consider the next stage of Blackpool Central project in accordance with the Land Sale Agreement 13 January 2020, with particular reference to site assembly. The agreement between Council, Nikal Ltd and Media Invest Entertainment ('the Developer') will bring about the development of circa £300m of private investment with the development of Chariots of the Gods leisure attractions together with associated leisure facilities.

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 6a and 6b, 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 2.1 and 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 outlined in Appendices 6a and 6b, to the Executive report, which is required for the development and associated road improvements and road closures.

2.5 That officers be requested to bring a further report to the Executive to seek authority prior to the making of a Compulsory Purchase Order.

3.0 Reasons for recommendation(s):

3.1 To enable the development of the Blackpool Central scheme to progress, which will bring new world class leisure facilities and attractions to the site, strengthening Blackpool's tourism offer.

3.2 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:

None.

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 Property Matters

Members will be aware that the Masterplan proposals for the Blackpool Central development were previously approved by the Executive on 10th December 2018 (EX57/2018). This was followed by a further Executive Decision 25th Feb 2019 (EX22/2019) delegating authority to the Chief Executive authorise the terms of the land disposal arrangements and subsequently by the signing of the Agreement with the Developer on 13 January 2020.

In this respect the Council has continued in discussions with the Developer to progress the proposals, in preparation for a planning submission later this year.

The Council has considered the land edged red on the plan attached Appendix 6a (Site Plan A) to be required in order to facilitate the development proposed by the Developer. The land edged red illustrates the extent of land required to deliver the proposed masterplan for 'Blackpool Central' and is incorporated into the land sale agreement, which was signed by both parties earlier this year.

The parties within the area edged red are aware that the Council are considering the

future planning of the area and the Council have acquired a number of these properties over recent years to facilitate the regeneration of this area of the town.

There is an additional area of land which is hatched red, this is illustrated in Appendix 6b, site plan b (this document is exempt from publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered on balance that the public interest would be not served by publishing information at this stage until the landowners have been identified and consulted. This area is also being considered within these preliminary investigations, as some of this land may be required for modifications to the highway network to support the development, following recent discussions with the Developer. Details relating to this plan will remain confidential until the middle of August, when consultation has taken place with the owners of the properties that may be affected. If it becomes essential for some or all of it to be incorporated into the scheme the minimum amount of land will be taken.

The area required for any Compulsory Purchase Order ('CPO') will be within these boundaries and will be determined at a later date.

Whilst the Council is pursuing discussions with the interested leaseholders and 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 the controlling interest in the majority of property on the site, with a few remaining leases within the King Edward's apartments yet to acquire and a number of units on Central Drive that lie within the boundary of the site. In order to progress the proposals for Blackpool Central it is vital that the remaining interests are acquired to complete the assembly of the whole site as soon as practicable.

5.2 Compulsory Purchase Powers

There are a range of powers which the Council can use to facilitate land assembly. In the circumstances it is considered that the powers under Section 226 of the Town and Country Planning Act 1990 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 and that the relevant statutory tests are met.

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.

5.3 **Conclusions**

Should the Executive be prepared to agree, 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.

An 'in-principle' decision to make 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 will enable such stakeholders to plan their business accordingly. It will similarly reaffirm the Council's support for the scheme.

5.4 Does the information submitted include any exempt information? No

5.5 **List of Appendices:**

Appendix 6a (Site Plan A)

Appendix 6b (Site Plan B) exempt

6.0 **Legal considerations:**

6.1 None at this time.

7.0 **Human resources considerations:**

7.1 None.

8.0 **Equalities considerations:**

8.1 None.

9.0 Financial considerations:

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

9.2 The previous Executive decision EX22/2019 gave an indication of potential Compulsory Purchase Order costs and sought approval on the wider budget for Blackpool Central which included property acquisitions and site assembly. Although at that point in time this did not include the properties illustrated on the eastern side of Central Drive between Palatine Road and Reads Avenue, which will be considered during the next stages of the preliminary Compulsory Purchase Order works.

10.0 Risk management considerations:

10.1 None at this time

11.0 Ethical considerations:

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

12.0 Internal/external consultation undertaken:

12.1 Growth and Prosperity Programme Director, Growth and Prosperity Board, Head of Legal Services, Finance and Nikal Limited.

13.0 Background papers:

13.1 None.

14.0 Key decision information:

14.1 Is this a key decision? Yes

14.2 If so, Forward Plan reference number: 5/2020

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: 3 July 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 6b to the Executive report is not public for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
2. 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 6a and 6b to the Executive report.
3. To authorise the Chief Executive to pursue detailed negotiations with the developer and other interested parties as necessary.
4. To delegate authority to the Chief Executive to authorise expenditure and contracts pursuant to decisions 2 and 3.
5. 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 outlined in Appendices 6a and 6b, to the Executive report, which is required for the development and associated road improvements and road closures.
6. That officers be requested to bring a further report to the Executive to seek authority prior to the making of a Compulsory Purchase Order.

19.0 Date of Decision:

19.1 13 July 2020

20.0 Reason(s) for decision:

20.1 To enable the development of the Blackpool Central scheme to progress, which will bring new world class leisure facilities and attractions to the site, strengthening Blackpool's tourism offer.

21.0 Date Decision published:

21.1 14 July 2020

22.0 Executive Members in attendance:

22.1 Councillor L Williams, in the Chair

Councillors Benson, Brookes, Campbell, Farrell, Hobson, Kirkland, Smith and Taylor.

23.0 Call-in:

23.1

24.0 Notes:

24.1 The following non-Executive member was in attendance:

Councillor Collett