

COMPULSORY ACQUISITION OF LAND AT POWBECK WHITEHAVEN

EXECUTIVE MEMBER: Councillor Cllr Mike Ashbrook , Deputy Leader
LEAD OFFICER: Martin Jepson, Head of Legal and Democratic Services
REPORT AUTHOR: Martin Jepson, Head of Legal and Democratic Services

Summary: To advise Members of the current position regarding the South Whitehaven Pow Beck regeneration project and to seek authority to report back on possible exercise of compulsory purchase powers to progress the project particularly in respect of two areas of land known as The Meadows, Whitehaven and Railway land adjacent to the Meadows.

Recommendations: That: (a) The two areas of land situated at The Meadows, Whitehaven and former railway land at the Meadows, Whitehaven and more particularly described in paragraph 2 of the report, be the subject of a report back to Executive with a view to compulsory purchase orders being made under section 226(1)(a) Of the Town and Country Planning Act 1990 (as amended) to facilitate the carrying out of development, re-development or improvement of the land as part of the project relating to the construction of a road to facilitate re-development at Pow Beck the location of wet and dry public sports facilities and the relocation of the Whitehaven Social Welfare Centre's sports and recreational facilities. Should negotiations continue to be unsuccessful subject to suitable evidence being demonstrated through the forthcoming supplementary planning document.
(b) Subject to securing funding from West Lakes Renaissance to begin the procurement of specialist assistance to prepare for compulsory purchases processes for the above two areas of land;
(c) Should compulsory purchase action be necessary any report back to Executive be accompanied by details of a proposed indemnity agreement with West Lakes Renaissance.
(d) Authority be delegated to the Corporate Director (Economic Prosperity and Sustainability) to negotiate terms for the acquisition of the land referred to in (a) above on a voluntary basis with any proposed terms being approved by the Head of Finance and Business Development in consultation with the Portfolio Holder.
(e) The continuing negotiations in respect of the remaining parts of the Pow Beck area be noted and that Executive confirm that should it be necessary to do so it would also be willing to consider Compulsory Purchase Order in respect of these alternative sites subject to a further report back.

Impact on delivering the Corporate Plan: 2005-07 Corporate Plan as Target PI QLI 07 "Take Pow Beck proposals forward to establish cost certainty, which will encourage a decision on progress to be made". A draft Corporate Plan 2007-2012 which is currently out for consultation provides for the implementation of the Whitehaven Regeneration Programme at section 2.21 and for the provision of plans for new build leisure facilities within the Pow Beck Valley area of Whitehaven at section 3.6.2 by 2008.

Impact on other statutory objectives (e.g. crime & Enhanced leisure facilities and the provision of affordable and attractive entertainment options can help to reduce anti-social behaviour.

disorder, LA21): Provision of more up to date buildings will improve sustainability

Financial and human resource implications: It is anticipated that if necessary West Lakes Renaissance would be able to provide funding for any Compulsory Purchase Order and land acquisitions. This would be needed to be secured formally before any CPO were to be made. Although West Lakes Renaissance are happy to provide funding and expertise, staff in Regeneration, Legal Services and Leisure and Cultural Services would be expected to devote considerable amounts of time to the Pow Beck project. Availability of the resources will be identified during the course of resourcing the aims of the emerging Corporate Plan 2007 – 2012.

Project & Risk Management: Project Planning has taken place with West Lakes Renaissance and other partners.

Key Decision Status

- **Financial:** N/A
- **Ward:** N/A

Other Ward Implications: Will have considerable effects on the Whitehaven Town Centre wards.

1. INTRODUCTION

At its meeting on 25th July 2006 the Executive received a report on the delivery of the Pow Beck Regeneration Initiative and approved various actions arising from the council's work with West Lakes Renaissance. It heard that the Council was to prepare a supplementary planning document (SPD) for this area and that subject to the adoption of that document CPO's may need to follow.

- 1.2 The situation on the SPD is that White Young Green have been commissioned to produce a document. This is not expected until at least April 2007.
- 1.3 The current position on the project is that negotiations on the essential first two portions of the Pow Beck Development have stalled because of the inability to negotiate a purchase price with the owners of the land in question. The two areas of land are known as "The Meadows" and "Railway Land adjacent to the Meadows". In both cases, Valuers appointed by West Lakes Renaissance report that the gap between valuation and that requested by the owners is unbridgeable. It is considered that details of the negotiation figures are exempt information items. These can be disclosed verbally in Part II of the meeting, should further clarification be required.

2. DESCRIPTION OF LAND REQUIRED

- 2.1 The two areas of land in question are shown on the plan attached to this report.
- 2.2 The above land is an essential first step in the plans to redevelop the Pow Beck Valley area. Negotiations are continuing in respect of the remaining areas in the Pow Beck Valley. It is recommended that if necessary your officers be authorised to bring a further report to members for consideration in respect of the acquisition of some of the remaining land shown on the plan should negotiations prove to be unsuccessful.

3. PROPOSED USES

3.1 The proposals for the “The Meadows” are:-

- a) New wet and dry public sports facilities to replace the current Whitehaven Sports Centre and Copeland Swimming Pool;
- b) New replacement facilities for Whitehaven Miners Social Welfare Centre.
- c) Spine road for access to the remainder of the site.

3.2 The proposals for the “Railway Land adjacent to the Meadows” are:-

- a) For construction of part of a spine road for the Pow Beck Valley development.

3.3 The above are essential part of the Pow Beck Valley Development Plan which has been the subject of considerable consultation.

4 FINANCIAL IMPLICATIONS

4.1 It is anticipated that if necessary West Lakes Renaissance would be able to provide funding for any Compulsory Purchase Order and land acquisitions. This would need to be secured formally before any CPO were to be made. Although West Lakes Renaissance are happy to provide funding and expertise, staff in Regeneration, Legal Services and Leisure and Cultural Services would be expected to devote considerable amounts of time to the Pow Beck project. Availability of the resources will be identified during the course of resourcing the aims of the emerging Corporate Plan 2007 – 2012.

List of Appendices

Appendix A – Plan showing the areas of land which are the subject of this report.

List of Background Documents:

Papers on Regeneration Dept files on Pow Beck Valley with the exception of details on negotiations for land acquisition which are deemed to contain exempt Information under Paragraph 3 of Schedule 12A to the LGA 1972

List of Consultees:

Corporate Team
West Lakes Renaissance