

DELIVERY OF POW BECK REGENERATION INITIATIVE

PARTNERSHIP BETWEEN WEST LAKES RENAISSANCE AND COPELAND BOROUGH COUNCIL

EXECUTIVE MEMBER: Cllr Mike Ashbrook

LEAD OFFICER: Mike Tichford

REPORT AUTHOR: Graham McWilliam

Summary: The purpose of this report is to establish a framework for the delivery of the Pow Beck Regeneration Initiative by securing and maintaining effective and meaningful partnership working between Copeland BC and West Lakes Renaissance. Approval in principle is sought for a number of actions, mechanisms and potential agreements. The phased introduction of these various elements will be allied to the Whitehaven Regeneration Implementation Plan.

Recommendation:	It is recommended that: (a) the options set out in section 3 of this report are agreed in principle and that the Portfolio Holder, Councillor Mike Ashbrook, and the Corporate Director of Economic Prosperity and Sustainability be delegated to pursue the implementation of the options subject to clarification of the relevant points set out in this report (b) Standing Orders are suspended to allow the appointment of White, Young Green, (planning consultants) to assist with the preparation of a Supplementary Planning Document (SPD) for the Pow Beck Development, should additional information be required. The appointment to be in accordance with the West Lakes Renaissance consultancy framework agreement
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Impact on delivering the Corporate Plan: Should the various elements which make up the Pow Beck Regeneration Initiative proceed in the future they will have a positive impact in terms of achieving the related objectives as set out in the Corporate Plan as well as creating and sustaining the local economy and improving the health and well being of our communities. Priority 1 – Business Growth and Priority 3 – Economic Infrastructure.

Impact on other statutory objectives (e.g. crime & disorder, LA21): There will be a positive impact in terms of meeting key objectives within the Government's Cleaner, Safer, Greener and Sustainable Communities Strategies as well as the West Cumbria LSP strategy.

Financial and human resource implications: Pow Beck is itself a major regeneration programme the various elements of which will have significant financial and staff resource implications, the proposed partnership working arrangements with West Lakes Renaissance are designed to maximise the availability and utilisation of the resources which are potentially available whilst ensuring the various options are not pursued without a clear understanding of the resource implications for each element.

Project & Risk Management: Each of the Pow Beck initiatives will require a comprehensive approach to project and risk management. The proposed partnership working

arrangements set out in this report together with the wider governance and delivery arrangements for the Whitehaven Regeneration programme will collectively facilitate effective project and risk management. A risk assessment of a number of the proposed elements of the partnership working arrangements will be required before they proceed.

Key Decision Status

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

Other Ward Implications: The various elements of the Pow Beck Regeneration Programme will have a positive impact on both adjoining wards and the Borough as a whole.

1. INTRODUCTION

- 1.1 The Pow Beck Regeneration Programme is one of the four key elements, which make up the Whitehaven Regeneration Programme. The master planning framework for the site envisages the phased development of a mixture of high quality commercial business (not retail) units, a redeveloped stadium, residential development, business–industrial units, sports and leisure facilities, brought together linked together through the development of a new spinal road through the site.
- 1.2 With the exception of the Leisure Facilities Relocation Study, which is nearing a conclusion and detailed site investigation work, the emphasis is now changing from studies and consultations to a start on the delivery of the first stages of the initiative.

2. ARGUMENT

- 2.1 The delivery of the Pow Beck initiative will only be successfully achieved if there is an effective and sustained partnership between West Lakes Renaissance (WLR) and Copeland Borough Council (CBC). There already exists a Pow Beck Task Group on which the Council have member and officer representation; the Task Group is accountable to the Whitehaven Regeneration Steering Group chaired by Cllr Mike Ashbrook.
- 2.2 Discussions have been held with WLR with a view to agreeing the mechanisms and actions that now need to be put in place to drive the initiative forward. There is a requirement for a partnership arrangement between CBC and WLR and a joint public commitment to the various development proposals. This will give a strong message to the other organisations involved and most importantly to potential developers that collectively we really are committed to securing the successful delivery of this programme.

3. OPTIONS TO BE CONSIDERED

- 3.1 In order to achieve this partnership and move forward the proposal the following options are put forward for consideration and it is recommended that;
 - (a) The Council actively supports the development and delivery of the various elements that make up the master plan framework for the Pow Beck Valley Initiative and which will lead to the preparation and consideration of a supplementary planning document (SPD). It should be noted that for an SPD to be adopted the new Planning and Compensation Act introduced minimum

procedural requirements which must be adhered to including the preparation of sustainability appraisal reports and public consultation and that the Secretary of State can direct a Council not to adopt an SPD in certain cases. In drafting an SPD there will therefore be some resource implications. White, Young, Green (WYG) Planning Consultants were employed under the WLR consultancy framework agreement to carry out the original master planning work on Pow Beck. If in the development of the SPD any gaps are identified which require further work then it is recommended that they are employed to undertake the additional work, it is not anticipated that the work will be significant and in any event financial support will be sort from WLR. The potential employment of WYG on this basis will require the suspension of standing orders

- (b) A Memorandum of Understanding (MoU) is agreed which will set out the development partnership framework between the Council and WLR including shared objectives and values together with the responsibilities and input from each partner. This will be an overarching document, which will not be legally binding on either party. Clearly the extent to which either the Council or WLR can influence the outcomes will be dependent upon the degree of support, input given and risk accepted by each partner. Ideally there should be equality of commitment.
- (c) The Council will, in principle, be prepared to act as joint signatories with WLR to the conditional development agreements, which may be drawn up with a developer(s) for a specific project. This will, before signing, be subject to a clear understanding of the requirements within the particular agreement, the risks and the relevant site development issues i.e. flood risk, together with the cost of mitigation and the financial implications of entering into the conditional development agreements There will also be a requirement for a framework agreement to be drawn up with respect to each conditional agreement, which sets out legally the arrangements including responsibilities and funding between WLR and the Council.
- (d) Whilst WLR would, understandably, like to see the Council be a joint signatory to the outline and detailed planning applications, it is felt that this could potentially compromise the objectivity of the planning processes. Nevertheless the desire from WLR to see the Council providing active support for the Pow Beck proposals will come from the other actions set out in these recommendations including the preparation of the SPD.
- (e) Should it prove necessary, the Council, will need to be prepared to pursue the Compulsory Purchase of a particular site(s). This will be subject to the SPD being in place and an agreement with WLR as to how the costs incurred will be dealt with including specialist legal advice.
- (f) In principle, the Council agrees, to act as client for any relevant studies, surveys and developments within the Pow Beck programme, subject to clarification on the funding, project and risk management arrangements, clarification on the scheme by scheme VAT position and a framework agreement with WLR.
- (g) The Council agrees to support an opportunity which has arisen to apply for ERDF funding towards the construction of an initial section of the proposed new spine road, together with an access road into the proposed commercial business park This project is a key element in the master plan framework for the Pow Beck development and an early start would signal a clear statement of intent.

The additional matched funding would be provided by WLR who are requesting the Council to act as client for the project. There are however number of issues including a risk assessment which will need to be resolved before the arrangement can be finalised

- (h) In order to expedite the processes involved the Council agrees to apply the WLR Framework to procure consultancy services, but only where the Council is acting as client under (6) above and the study or survey relates to the Memorandum of Understanding.
- (i) The Council will be willing to co-ordinate the promotion, publicity and any presentations for potential developers associated with the programme, subject to clarification on funding

3.2 The above-recommended options, if agreed will provide a clear statement of the willingness of the Council to give their support for the Pow Beck Valley Regeneration Programme.

4 CONCLUSIONS

4.1 The proposals for the regeneration of the Pow Beck area is an important part of the Whitehaven Regeneration Programme, there is now a real opportunity for a start to be made on the various elements which are involved . Successful delivery is very much dependent upon effective and meaningful partnership working and a clear statement of intent. Furthermore the viability of the Pow Beck development will be dependent upon the outcome of the Flood Risk Assessment (FRA) a report on which was considered by the Executive at their last meeting. The final report on the FRA will be available towards the end of the year. The options and recommendations set out in this report provide a framework for future working between West Lakes Renaissance and Copeland Borough Council; however each element in this working arrangement will have to be considered in resource requirements and risk management.

List of Appendices

None

List of Background Documents:

Minutes of the Pow Beck Task Group
Correspondence with West Lakes Renaissance

List of Consultees:

Corporate Team, Chris Lloyd