

DECISION-MAKER:	CABINET		
SUBJECT:	PLATFORM FOR PROSPERITY – ACQUISITION OF LAND AT TOWN QUAY		
DATE OF DECISION:	17 SEPTEMBER 2013		
REPORT OF:	CABINET MEMBER FOR RESOURCES		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Mrs Ali Mew	Tel: 023 8083 3425
	E-mail:	Ali.mew@southampton.gov.uk	
Director	Name:	Mark Heath	Tel: 023 8083 2371
	E-mail:	Mark.heath@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

Appendix 1 is not for publication by virtue of category 3 (financial and business affairs) of paragraph 10.4 of the Access to Information procedure Rules as contained in the Constitution. It is not in the public interest to disclose this information because it comprises financial information that if made public would prejudice the Council's ability to operate in a commercial environment.

BRIEF SUMMARY

This report summarises why it is necessary to acquire land at Dock Gate 7, Town Quay to deliver a new public amenity space and the estimated cost of the acquisition. The report seeks approval to delegate authority to Interim Director of Environment & Economy in consultation with the P4P Client Manager to approve the amount of land required and the final detailed terms of purchase.

RECOMMENDATIONS:

- (i) To approve the purchase and disposal of the freehold interest of land at Dock Gate 7 Town Quay and Mayflower Park and to delegate authority to the Interim Executive Director for Environment & Economy in consultation with the P4P Client Manger to agree the final terms and conditions of purchase including the amount of land to be acquired.
- (ii) To delegate authority to the Interim Director of Environment and Economic Development to do anything necessary to give effect to the recommendations in this report.
- (iii) To note the level of expenditure of the purchase and associated costs of purchase. The total expenditure will be funded from the Regional Growth Fund (RGF) grant funding from Department of Business Innovation & Skills (BIS), which has been subject to previous approvals.

REASONS FOR REPORT RECOMMENDATIONS

1. To enable the construction of the *Platform for Prosperity* road scheme in providing replacement park land following the development of a small part of Mayflower Park as carriageway and footway.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. Do not purchase the property – rejected. The City Council has gained public support to the scheme based upon a statement of intent that there is not a net loss of public open space following development of a small part of Mayflower Park. This support will be lost if the parkland is not replaced.
3. Reduce the scheme to within the existing highway boundary removing the need to replace the parkland. This has been rejected as this would not deliver the level of traffic capacity enhancement required to serve peak demands in Port activity, which is a key objective of the road scheme.

DETAIL (Including consultation carried out)

4. On 14th March 2012 the City Council approved the acceptance of Regional Growth Fund grant funding of £5.595 million from the Department of Business Innovation & Skills, for the *Platform for Prosperity* road scheme and added this funding to the Environment and Transport Capital Programme, alongside the City Council's £1.255 million Local Transport Plan grant funding contribution to the scheme.
5. On 11th July 2012 Council approved the overall expenditure of £6.850 million for the *Platform for Prosperity* capital road scheme.
6. On 6th December 2012, the City Council was formally offered an additional £5.3 million of Regional Growth Fund grant funding by the Department for Business and Skills (BIS). This will primarily support expansion of the scheme to deliver a comprehensive improvement along Town Quay between the High Street junction and the De Vere Roundabout.
7. The Town Quay phase of *Platform for Prosperity* scheme will implement a new dual carriageway route along a widened alignment of Town Quay between the High Street junction and the De Vere Roundabout. In addition accommodation works will relocate and reconfigure the Dock Gate 7 the current entrance (Red Funnel Port), In order to minimise any abortive costs should Red Funnel Port move as part of the Royal Pier scheme, this new road has dual usage as it would also serve as the main roadway into the new Royal Pier development. The reconfigured entrance will provide improved highway safety and additional capacity on the road network and off the road network for vehicles utilising the Dock Gate. Overall the pinch points (two lanes reducing to one) along Town Quay will be widened, improving traffic movements on this section of highway. To deliver a wider dual carriageway along Town Quay, the existing carriageway will be widened on the southern boundary. The existing footway will be replaced (with carriageway being constructed on part). To deliver the above a small section of land within Mayflower Park will be developed to form part of the new footway and a second small section of land within the park will be developed to provided a new access to the reconfigured Dock Gate 7 entrance.

8. These two small sections of Mayflower Park, are shown in Appendix 2, (for indicative purposes) are areas of Public Open Space and they will be subject to statutory advertising procedures, to enable the development for the road scheme. Whilst the City Council is not under any legal obligation to replace this area of parkland, the early consultation with open space groups and societies in the City highlighted support for the scheme would be greater if the parkland were replaced causing no net loss to the City's Open Space provision.
9. The City Council is committed to ensuring that there is not a net loss of Open Space as a result of this project and has consulted the public on the basis that the parkland will be re-provided as part of the scheme, thus gaining the support of the public generally.
10. The Council has identified an area of land adjacent within Dock Gate 7 (the existing vehicular entrance) also shown in appendix 2, which will become redundant following the accommodation works to provide the new access route into the Dock. This area will provide an equivalent area of land to replace the area to be lost. The land is currently an operational part of the Red Funnel Port business within the ownership of Associated British Ports (ABP), a partner in the Road Scheme, who will be making a minimum commitment of £1 million towards the *Platform for Prosperity* scheme.
11. The land can be landscaped to form a publically accessible amenity space which will form an enhanced visual amenity to the Royal Pier Gatehouse (which is listed) and a safe crossing point for pedestrians. The Councils Heritage officer supports the proposal, with the replacement open space providing an improved setting for the listed Royal Pier entrance and Gatehouse.
12. The acquisition will form part of a land swap, with the City Council disposing of part of the new access road (which was formerly part of Mayflower Park) to ABP. Detailed terms of the purchase and disposal have been negotiated with ABP and Red Funnel, as set out in confidential appendix 1. The estimated cost of the purchase is also detailed in appendix 1.
13. The purchase and disposal will be on a conditional contract basis, ensuring simultaneous acquisition and disposal is made when a number of matters relating to the road scheme are completed; more particularly planning consent for a change of use, with the land swap completing upon satisfaction of the conditions.
14. External Consultation throughout the Platform for Prosperity project has been conducted comprising of various elements, a leaflet, 2 separate public exhibitions and a site visits with Open Space Groups & Societies and an interactive webpage and email updates to various stakeholders.
15. Consultation was undertaken with the Open Space groups & societies, (SCAPPS, City of Southampton, & The Open Space Society) in April 2013, including a site walk over to discuss in outline terms the design and the proposals for the loss of small sections of Mayflower Park. During this initial consultation the replacement amenity space was promoted by the project team to gain public support needed to progress the project.

16. In July 2013 a two day public exhibition was held, inviting comments and feed back regarding the overall project and the road design, including the replacement parkland. 56 people attended the open days. The majority of the attendees supported the scheme, with only 2 people providing negative feedback.
17. The loss of a small section of land and the reconfiguration of the Dock Gate 7 entrance will have an adverse affect upon the delivery of certain elements of the Southampton International Boat Show. There will be a loss of parkland for the construction of hospitality facilities in their current format and the reconfigured Dock Gate 7 access will prevent car parking and valet parking facilities being operated from this entrance into the park during the show. An action plan is in place to address these issues with alternative options and arrangements being developed.
- 18.. Internal consultation has taken place with Platform for Prosperity Project Board, finance, legal and the Parks and Open Spaces teams, regarding the need to provide replacement parkland and the cost associated with this acquisition.
19. The purchase of the land is therefore key to continuing with the scheme as promoted.
20. The purchase of the Port land will require a number of transactions to be implemented as the land is currently leased to Red Funnel. This will result in both Red Funnel and ABP engaging legal resources. The project will pick up these costs, as they are being incurred due to the Scheme requiring a reconfiguration of Dock Gate 7. These costs are set out in the confidential appendix 1.

RESOURCE IMPLICATIONS

Capital/Revenue

21. On 11th July 2012 Council approved the overall expenditure of £6.850 million for the *Platform for Prosperity* capital road scheme. This will be funded by Regional Growth Fund grant funding of £5.595 million, from the Department of Business Innovation & Skills, and £1.255 million from the Council's Local Transport Plan grant funding.
22. The capital expenditure to be incurred on the acquisition of the Pan Handle Car Park is set out in the confidential appendix 1.
23. There are additional costs and charges including professional fees and stamp duty land tax, which are also set out in the confidential appendix 1. The total expenditure for the acquisition of the land will be funded from within the approved project funds as set out in paragraph 22.

Property/Other

24. The acquisition has not been identified in the Corporate Property Strategy. The proposed acquisition will support a long standing road improvement proposal, which was originally conceived in the mid 1990s as part of the Port of Southampton Western Approach scheme

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

25. The Council has the power to acquire land by agreement for the purpose of any of its functions or for the benefit, improvement or development of the area. The purchase will be made by virtue of S120 Local Government Act 1972. The power to dispose of open space land is at Section 123(2A) Local Government Act 1972.

Other Legal Implications:

26. The land acquired will provide replacement Park land. The land to be used for parkland will be appropriated to Public Open Space holding powers under Public Health Acts in order to provide the park land with the statutory protection afforded to Public Open Space, following the highway improvements.

POLICY FRAMEWORK IMPLICATIONS

27. The “Platform to Prosperity” scheme is consistent with the Council’s Local Planning policy framework and Local Transport Plan (LTP3). The scheme has been safeguarded in the Local Development Plan and identified as a priority within the Local Transport Plan.

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	Bargate
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SUPPORTING DOCUMENTATION

Appendices

1.	Confidential – Terms of Purchase
2.	Plan – indicative area to be purchased.

Documents In Members’ Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	Yes/No
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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