

# Agenda



## Delegated Decisions - Cabinet Member for Assets, Equalities & Member Development

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Date: Friday, 1 March 2019

To: Councillor M Whitcutt

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Item		Wards Affected
1	<u>Land at Ringland, Newport</u> (Pages 3 - 10)	Ringland

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# Report

## Cabinet Member for Assets, Equalities & Member Development (Deputy Leader)

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### Part 1

Date: 1 March 2019

**Subject** Land at Ringland, Newport

**Purpose** To seek approval from the Cabinet Member for Assets & Member Development (Deputy Leader) to declare the land surplus to the Council's requirements and agree its disposal to Newport City Homes, on terms to be agreed by the Head of Law and Regulation.

### Reason for Urgency

In order to meet the funding requirements for the purchaser the sale needed to be concluded before the end of the financial year. The Council has considered the suitability of the overall scheme and it has concluded this is in keeping with its policies and thus supports the urgent sale of the land in order to protect the delivery of the wider economic regeneration scheme.

**Author** Housing and Assets Manager

**Ward** Ringland

**Summary** As part of the set aside area approach of tackling the larger areas that formed part of the Housing Stock transfer in 2009 a masterplan and detailed regeneration scheme has been developed by Newport City Homes for a comprehensive redevelopment around the district centre at Ringland. Considerable consultation, collaboration and integration has taken place with residents, stakeholders Newport City Council and Welsh Government in arriving at the final scheme and a planning application has been submitted. The Council owns the parcel of land subject to this report and is an integral element to delivery of the scheme. Newport City Homes has approached Newport City Council seeking to purchase the land identified within this report. Appendix A and B show details of the proposed scheme and how the land in the report impacts on delivery of the scheme.

**Proposal** That the land subject to this report be declared surplus and sold, on terms recommended by Newport Norse and agreed by the Head of Law and Regulation. Part of the land will be required to be appropriated to planning and therefore Public Notices will be required prior to transfer.

**Action by** Head of Regeneration, Investment and Housing

**Timetable** Immediate

This report was prepared after consultation with:

- Strategic Director - Place
- Head of Finance – Chief Finance Officer

- Head of Law and Regulations – Monitoring Officer
- Head of People and Business Change
- Head of Regeneration, Investment and Housing
- Housing & Assets Manager
- Associate Director of Property Services, Newport Norse
- Associate Valuation and Estates Management, Newport Norse

**Signed**

## Background

The Ringland Centre area was one of the set aside areas that were part of the transfer of Newport City Council's housing stock to the newly formed Newport City Homes, it was recognised that the area would require a much more integrated regeneration approach that simply seeking to bring the properties up to the Welsh Housing Quality Standard.

A masterplan was developed with continual consultation with residents, members, Newport City Council, Welsh Government and general stakeholders. Public consultation events have been undertaken to show the proposed development and the scheme is widely supported and an outline planning application has been submitted.

The proposals include a complete re-design of the shopping centre, including replacement of the existing retail units with new commercial premises. This will provide a new high street incorporating a wider land use to facilitate a mixed tenure residential development. This is a multi-million-pound regeneration project NCH are set to deliver with the aim of transforming this area of Ringland physically and socially. The masterplan will be delivered in a phased approach in order to manage the relocation of the various residential and commercial tenants.

The Council's land by the community centre has been identified by NCH as being integral to delivering the scheme, in particular the replacement/relocation of some of the residential and retail accommodation and parking provided in the area. As a result, NCH is looking to acquire the land from Newport City Council (NCC) to facilitate the various phases of their regeneration proposals. The land includes a car parking area, access road and the site of the former Ringland library. Newport City Homes have been working with Newport City Council to ensure that their Regeneration Scheme and Newport City Council's Neighbourhood Hub scheme compliment each other. Newport City Homes scheme will ensure that car parking is provided and the access road remains.

The area of interest to the scheme is shown on the plan at Appendix 2 and is centred on the shopping centre.

Due to funding deadlines the land edged red will need to be disposed of to NCH by 15 March 2019. This will realise a capital receipt for the Council. For information, an independent valuation of the land has been undertaken on behalf of NCH and a financial offer (£250,000) has been made for the purchase of the freehold of the site.

The land edged red blue is currently held by the Council for Recreation purposes. It is Newport City Homes intention for the land to remain as a play area and improvements made to the sloping bank alongside the playing fields in order to make it a more useable space. However, as it is a disposal, and in order to safeguard land for development and to reduce the potential for a town or village green application, it has become established practice to appropriate, prior to sale, open space land to be sold for development to planning purposes under Section 122 (2A) of the Local Government Act, 1972.

There is also a requirement under Section 233(4) of the Town and Country Planning Act, 1990 to advertise the Council's intention to dispose of open space land held for planning purposes. It is proposed therefore to:

- i) Advertise the Council's intention to appropriate the subject land to planning purposes; and
- ii) Advertise the intention to dispose of the development site.

The advertisements, which will run concurrently, will appear for two consecutive weeks in the South Wales Argus. There will be a period of 28 days for any objections to be made. If there are any objections, these will be reported to the Cabinet Member for consideration. If there are none, the appropriation and disposal will proceed, following expiry of the objection period.

It would not be necessary for the Council to make a planning application as this will be undertaken by Pobl.

It would not be appropriate to include overage provisions, as the sale will reflect its development value.

### Benefits of these Proposals

- The scheme will provide added benefits to NCC's retained land. In particular, the Community Centre.
- From the consultation, the scheme is widely supported by the local residents, including those directly affected.
- The disposal would generate a capital receipt for the Council to invest in its own service priorities.

### Financial Summary

	Year 1 (Current) £	Year 2 £	Year 3 £	Ongoing £	Notes including budgets heads affected
<b>Costs (Income)</b>					Disposal will offer small savings in maintenance and management costs. Disposal will generate a capital receipt.
<b>Net Costs (Savings)</b>					
<b>Net Impact on Budget</b>					

### Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Failure to dispose of the assets will result in the no capital receipt being forthcoming	H	M	Seek to progress disposal expeditiously	Newport Norse
On-going maintenance liabilities	L	L	Only limited maintenance should be required. Property to be regularly checked.	Newport CC
Risk of compromising redevelopment proposals	M	L	Newport Norse will continue to monitor the disposal	Newport Norse and Newport CC

### Links to Council Policies and Priorities

- Strategic Asset Management Plan
- Property Rationalisation Programme
- Medium Term Revenue Plan (MTRP)
- Community Development Plan

### Options Available and considered

- Take no action
- That both parcels of land subject to this report be declared surplus and sold, on terms recommended by Newport Norse and agreed by the Head of Law and Regulation.

## **Preferred Option and Why**

1. Appropriate the subject land (edged blue) to planning purposes; and
2. Declare both parcels of land surplus and dispose of same to Newport City Homes, on terms to be agreed by the Head of Law and Regulation.

This option will generate a capital receipt, reduce revenue costs and support development of a major housing development.

## **Comments of Chief Financial Officer**

Disposal of this freehold will benefit the Council by the realisation of a capital receipt, which is reinvested into the capital programme, disposal of the land will also remove any potential future liability to the Council as well as enable this important development

In terms of the capital receipt and other relevant factors, officers need to satisfy themselves that the price offered provides 'value for money'.

## **Comments of Monitoring Officer**

The proposed action is in accordance with the Council's statutory powers to re-appropriate and dispose of surplus land under sections 122 and 123 of the local Government act 1972. As the land is no longer required for the Council's purposes, it can be re-appropriated for the purposes of development and sold to NCH in order to help facilitate this regeneration project. There is an obligation to secure best consideration for the land sale but the General Disposal Consent does allow the Council to have regard to the wider social and economic benefits of the scheme when agreeing the price for the land. The Council will need to give two weeks public notice of the intention to re-appropriate and dispose of that part of the site that is currently held as public open space under Section 122 (2A) and Section 123 (2A) of the Local Government Act, 1972. There are also benefits in giving public notice, at the same time, under Section 233(4) of the Town and Country Planning Act 1990 to advertise the Council's intention to dispose of open space land held for planning purposes as this will override any existing rights over the land. Any valid objections received within 28 days, will need to be reported back to the Cabinet Member for further consideration before any final decision is taken to proceed with the sale.

## **Comments of Head of People and Business Change**

The Well-being of Future Generations (Wales) Act 2015 has been fully considered when developing this proposal. All five aspects of the sustainable development principle have been reflected in the comments (Long Term, Prevention, Integration, Collaboration and Involvement).

From an HR perspective there are no staffing implications.

## **Comments of Cabinet Member**

Cabinet Member has been briefed on the report.

## **Scrutiny Committees**

N/A

## **Equalities Impact Assessment and the Equalities Act 2010**

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular

business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

### **Children and Families (Wales) Measure**

Although no targeted consultation takes place specifically aimed at children and young people, consultation on planning applications and appeals is open to all of our citizens regardless of their age. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

### **Wellbeing of Future Generations (Wales) Act 2015**

This redevelopment scheme meets many of the goals set out in the Act, rather than it being a straightforward housing development, it incorporates rejuvenating the business area allowing the community to benefit from local services. The scheme also increases the level of affordable housing. Ringland ward has a deficiency in regard to open space provision across the ward. This is based on the Council's adopted minimum standard for open space, sport and recreation. Ringland ward has a deficit of open space but does have one of the higher levels of open space compared to other wards within Newport. The scheme will improve the current play area and space alongside the playing fields and make it more accessible to the public.

The extensive collaboration, consultation and involvement of all stakeholders in arriving at this final scheme which clearly covers prevention of future decline in the area. From an integration perspective this proposal has a positive impact on all the Well-being Goals and the NCC Well-being Objectives as well securing its long term future. This is evidence of the 5 ways of working towards sustainable development has been covered.

### **Crime and Disorder Act 1998**

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

### **Consultation**

Comments received from wider consultation, including comments from elected members, are detailed in each application report in the attached schedule.

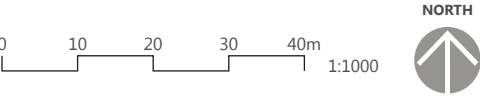
### **Background Papers**

Site Plan attached.

**Dated: 1 March 2019**



NOTE:  
THIS ILLUSTRATIVE MASTERPLAN DEMONSTRATES  
HOW THE CONCEPT MASTERPLAN COULD  
BE DEVELOPED IN LINE WITH THE PROPOSED  
PARAMETERS. ITS PURPOSE IS PURELY INDICATIVE  
AND IT IS INTENDED A DETAILED SCHEME WILL  
BE FULLY DEVELOPED FOR A RESERVED MATTERS  
APPLICATION IN DUE COURSE.



Figured dimensions and levels to be used.  
Any inaccuracies must be notified to the  
architect.  
Detail drawings and large scale drawings  
take precedence over smaller drawings.

Rev:

Rev:

Rev:

Rev:

PRELIMINARY	
PLANNING	✓
DESIGN	
TENDER	
CONSTRUCTION	

**powelldobson**  
ARCHITECTS

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Contract: Newport City Homes  
Ringland Regeneration  
Title: Proposed Masterplan

Drawing No. 17095(05)101  
Rev. /

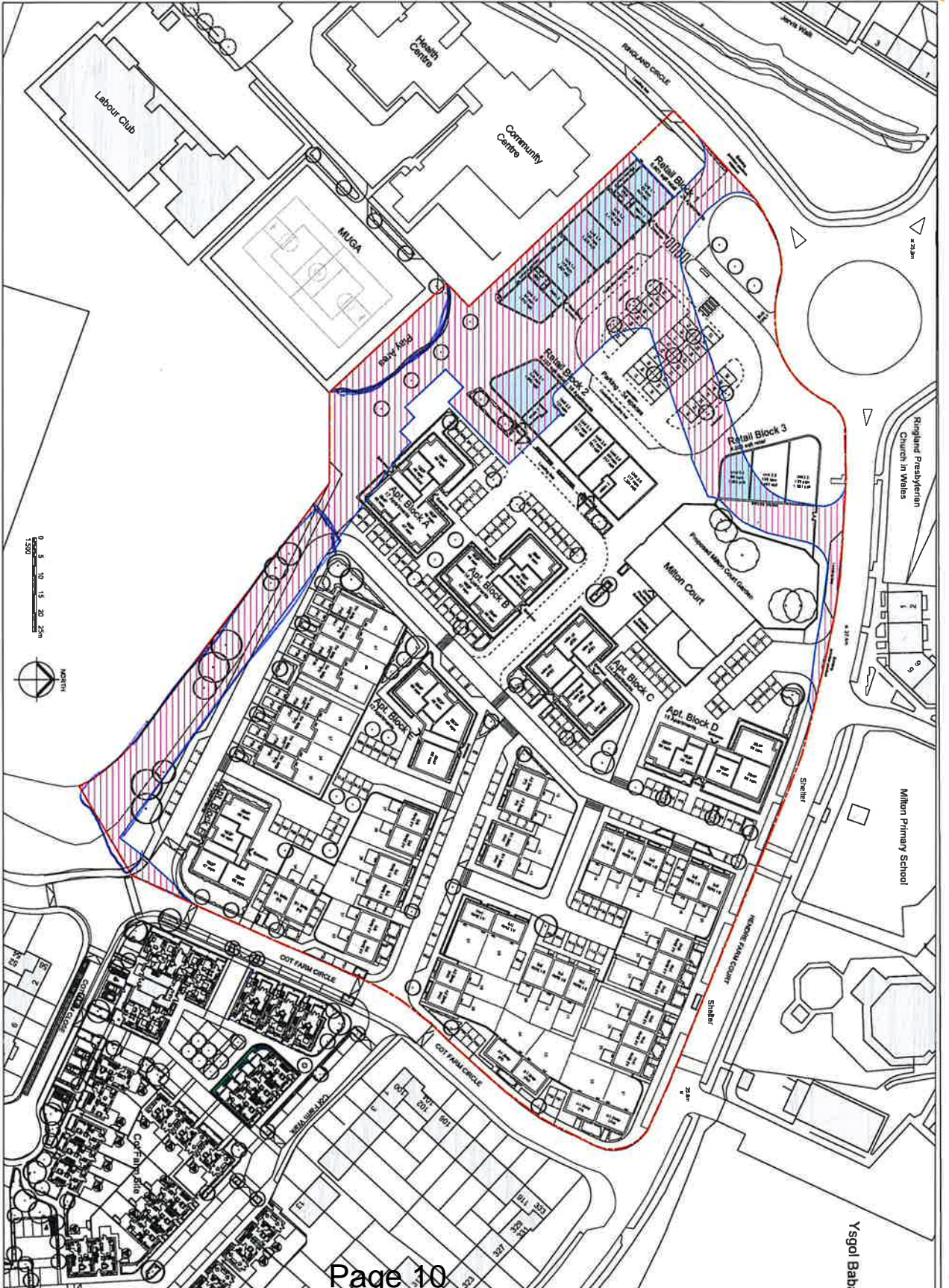
Scale: 1:1000 @A3  
Date: 30/10/2018  
Drawn: AJP  
Checked: BK



Land owned by Local Authority

Commercial space within land owned by Local Authority (see table below)

Commercial space	
Unit 1.1	883
Unit 1.2	1,138
Unit 1.3	1,286
Unit 1.4	1,287
Unit 1.5	1,015
Unit 2.1	1,550
Unit 2.2	451
Unit 3.1	941
Unit 3.2	386
Unit 3.3	31
<b>Total</b>	<b>8,840</b>



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Rev.

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Drawn

PRELIMINARY

✓

**powelltdobson**  
ARCHITECTS

Drawing No. 170215/0027

Rev. 1

PLANNING  
DESIGN  
TENDER  
CONSTRUCTION

Client: Ringland City Homes  
Project: Ringland City Homes  
Title: Units within Local Authority ownership

Scale: 1:5000  
Date: 22/11/2018  
Drawn: AD  
Checked: ✓