

# Agenda



## Delegated Decisions - Cabinet Member for Assets

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Date: Monday, 17 August 2020

To: Councillor M Rahman

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Item	Wards Affected
1	<u>Acquisition of Land - Part of Lighthouse Inn Car Park</u> (Pages 3 - 10)

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Date of Issue: 7 August 2020

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# Report

## Cabinet Member for Assets

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### Part 1

Date: 17 August 2020

**Subject** Acquisition of Land – Part of Lighthouse Inn Car Park

**Purpose** To seek approval from the Cabinet Member for Assets to acquire the freehold of a parcel of land, adjacent to the Lighthouse Inn, to enable the development of the new Visitor facilities.

**Author** Housing and Asset Manager

**Ward** Marshfield

**Summary** The subject land is currently owned by CS, freeholder of the Lighthouse Inn and comprises part of the car park to the Lighthouse Inn. This report seeks approval to acquire the freehold of a small parcel of land to assist with the Living Levels project.

**Proposal** Agree to the acquisition of the land on terms to be agreed by Head of Law and Regulation.

**Action by** Head of Regeneration, Investment and Housing / Head of City Services

**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 City Services
- Head of Regeneration, Investment and Housing
- Housing & Assets Manager
- Associate Director of Property Services, Newport Norse
- Associate Valuation and Estates Management, Newport Norse
- Service Manager

**Signed**

## Background

“Living Levels” is a National Lottery Heritage Fund Landscape Partnership Scheme (LPS) on the Gwent Levels.

RSPB Cymru (lead agency), Gwent Wildlife Trust, Monmouthshire County Council, Natural Resources Wales, Newport City Council, Buglife and Bumblebee Conservation Trust are working together, through a range of projects that aim to conserve and enhance the natural heritage of the Gwent Levels and re-connect people with the landscape on their doorstep. The project has developed over a period and Council Officers have consulted partner organisations from an early stage in the project. The Council is working closely with the Living Levels project as the funder. Likewise, the National Lottery Heritage Fund was consulted from an early point, as a potential source of financial support. The Living Levels project has been subject to considerable consultation with the public and statutory bodies. Consultation has been carried out in a number of ways including face to face and focus groups together with on line web based consultation.

Development of the Living Levels, is a project with a wide range of work programmes. One of the objectives of the project is to improve public access. Whilst there is an established network of footpaths within the area, it has been recognised that improving access to the network, by provision of safe car parking facilities with interpretation and walks links, would boost visitor numbers and improve residents use and understanding of the area. This is especially the case amongst those with limited mobility. The project as a whole aims to extend access to and conserve the Levels for future generations. The land purchase is a component of the project as a whole and is a key aspect of improving the visitor experience which in turn will improve the Project’s sustainability.

There is no land currently within the ownership of partner organisations suited to development of parking facilities. Indeed, the nature of the use of land in this vicinity means the range of prospective sites is very limited, especially as a key component is access to the footpath network.

Never the less, a site has been identified as suitable at the car park of the Lighthouse Inn, situated at the end of Lighthouse Road. This is illustrated by edging on the plan accompanying this report. The land is in private ownership and subject to a lease to the operator of the pub, which expires in 2022. Terms have been agreed for purchase of the freehold, in the sum of £20,000. In addition, the Council would need to pay the vendor’s legal costs but these can be claimed back from the Heritage Lottery Fund. To provide the Council with vacant possession, the lease would need to be part surrendered. That transaction would be a separate negotiation between the Freeholder and Lessee but the Freeholder has indicated this has been agreed in principle.

The existing car park is in very poor condition. Once purchased, the land would need to be redeveloped and facilities improved, as illustrated on the attached plan. The project includes for the provision of a new, separate access to the Lighthouse car park and complete resurfacing of the whole parking area.

Service managers have confirmed that full funding for the purchase and proposed improvement works are available through the Living Levels Heritage Lottery project.

The purchase of this area of land will enable the creation of a primary gateway destination for visitor access to the Wentloog Levels Landscape area which is adjacent to the Coast, as recommended in the Living Levels Visitor Destination Management Plan for the partnership. This is to provide a clear destination for visitors and residents to explore the western Levels and make return visits. The creation of a gateway site at this location would create a starting point for walking, cycling and other modes of transport. It would also be a midpoint destination for people walking the Wales Coast Path from Newport to Cardiff or on circular walks where the start point would be Tredegar House or one of the local communities of Marshfield or Duffryn. The project aims to prevent the condition of the Levels deteriorating and ensure it is available to be enjoyed by further generations. Additionally, investment now will reduce the call on public funds for the near future. The project will help manage visitors, which should reduce the need for future resource to be invested in maintenance.

The site will be managed by City Services. All aspects of design and construction will ensure minimal maintenance requirements for which a commuted sum will be made available from the project to cover maintenance for 10 years. Following this NCC would be able to charge for parking in order to cover maintenance. The Living Levels project offers a coordinated and integrated approach to management of these resources. The proposed acquisition will make a positive impact on delivery of one of the work streams of the project.

## **Financial Summary**

Service managers have confirmed that full funding for the purchase and proposed improvement works are available through the Living Levels Heritage Lottery project. All aspects of design and construction will ensure minimal maintenance requirements for which a commuted sum will be made available from the project.

## **Risks**

If the land is not purchased then the overall visitor experience will not be enhanced, to the detriment of the Living Levels project.

The funds set aside for the Gateway project must be used before the project ends in summer 2021. If this site cannot be progressed there is a risk the fund will be used in neighbouring authorities.

If the land is not purchased traffic management on site will be more difficult. In particular, it may not be possible for people with mobility problems to access facilities.

## **Links to Council Policies and Priorities**

The project delivers against the “Thriving City” theme of the Corporate Plan.

Additionally, the project contributes to the Council’s wellbeing objectives, namely: to promote economic growth and regeneration whilst protecting the environment and to build cohesive and sustainable communities. Proceeding with this project would not adversely affect the other objectives.

Purchase of the land is needed to help deliver the objectives of the Living Levels project, which contributes to these objectives.

## **Options Available and considered**

1. Purchase freehold of the land at £20,000
2. Take no action and do not purchase the land

## **Preferred Option and Why**

Purchase freehold of the land on terms to be agreed by Head of Law and Regulation, in order to facilitate the creation of new car parking facilities, in support of the Living Levels project.

## **Comments of Chief Financial Officer**

The purchase of the land and any associated costs will be covered through the Living Levels Heritage Lottery project. A sum will also be made available for maintenance costs, but only for 10 years. Consideration will need to be made for the long term maintenance costs after the funding is no longer available.

## **Comments of Monitoring Officer**

The proposed action is in accordance with the Council's legal powers under section 120 of the Local Government Act 1972 to acquire land by agreement for the purposes of any of its functions or for the benefit, development or improvement of the area. The proposed acquisition and use of the land is consistent with the Council's Corporate Plan and well-being objectives and is required to deliver the objectives of the Living Levels Project, which the Council has committed to deliver in partnership with other Gwent authorities and partner organisations. The cost of the land acquisition and the associated development work is covered by the Living Levels grant funding, which includes a commuted sum to cover 10 year maintenance costs. When the development is completed, the asset will be appropriated to and managed by City Services. The acquisition of the freehold interest should be subject to satisfactory planning permission and also the agreed surrender of part of the subsisting leasehold interest which is held by the pub.

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

The Living Levels Project aims to reconnect people and communities to the Gwent Levels landscape and provide a sustainable future for this historic and unique area. Opening a Visitor Gateway will further enhance this project and enable more people to engage with the project.

The aims and objectives of the Living Levels Project fully support the sustainable development principle and the well-being goals of the Well-being of Future Generations (Wales) Act 2015 and this is detailed throughout the report.

From an HR perspective, there are no staffing implications to this report.

## **Comments of Cabinet Member**

Cabinet Member has been briefed on the report.

## **Local issues – Comments of Ward Members**

Cllr Richard White:

Planning permission was granted for this development in October, 2017 and it is encouraging to see that progress may now at last be forthcoming. This is a development which will benefit visitors to the Coastal Path and also at the same time attract more customers to the Lighthouse Inn, the only public house remaining in the area. I fully support this report.

## **Comments of Non-Executive Members**

Councillor Charles Ferris:

I wholeheartedly support the proposal. The Severn Estuary encompasses some 20% of the U.K.'s estuarine habitat. The Gwent Levels are said to hold Britain's greatest untapped archaeological resource. We appreciate the boost to our city's tourist appeal that the Wetlands reserve has provided, but it's been a tale of two halves-the reserve being on the east bank of the Usk but with nothing on the levels on the west bank. Hopefully an information centre at the Lighthouse hotel will redress this imbalance and teach an appreciation of this unique yet fragile environment and will reach a wider audience being adjacent to the east of Cardiff as well as Newport.

## **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**

The author has given consideration to the Act throughout the background of the report. The proposed acquisition will assist with meeting some of the seven well-being goals including a prosperous Wales, a resilient Wales, a healthier Wales and a globally responsible Wales by utilising resources efficiently and proportionately. The project does not affect the other goals.

### **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.

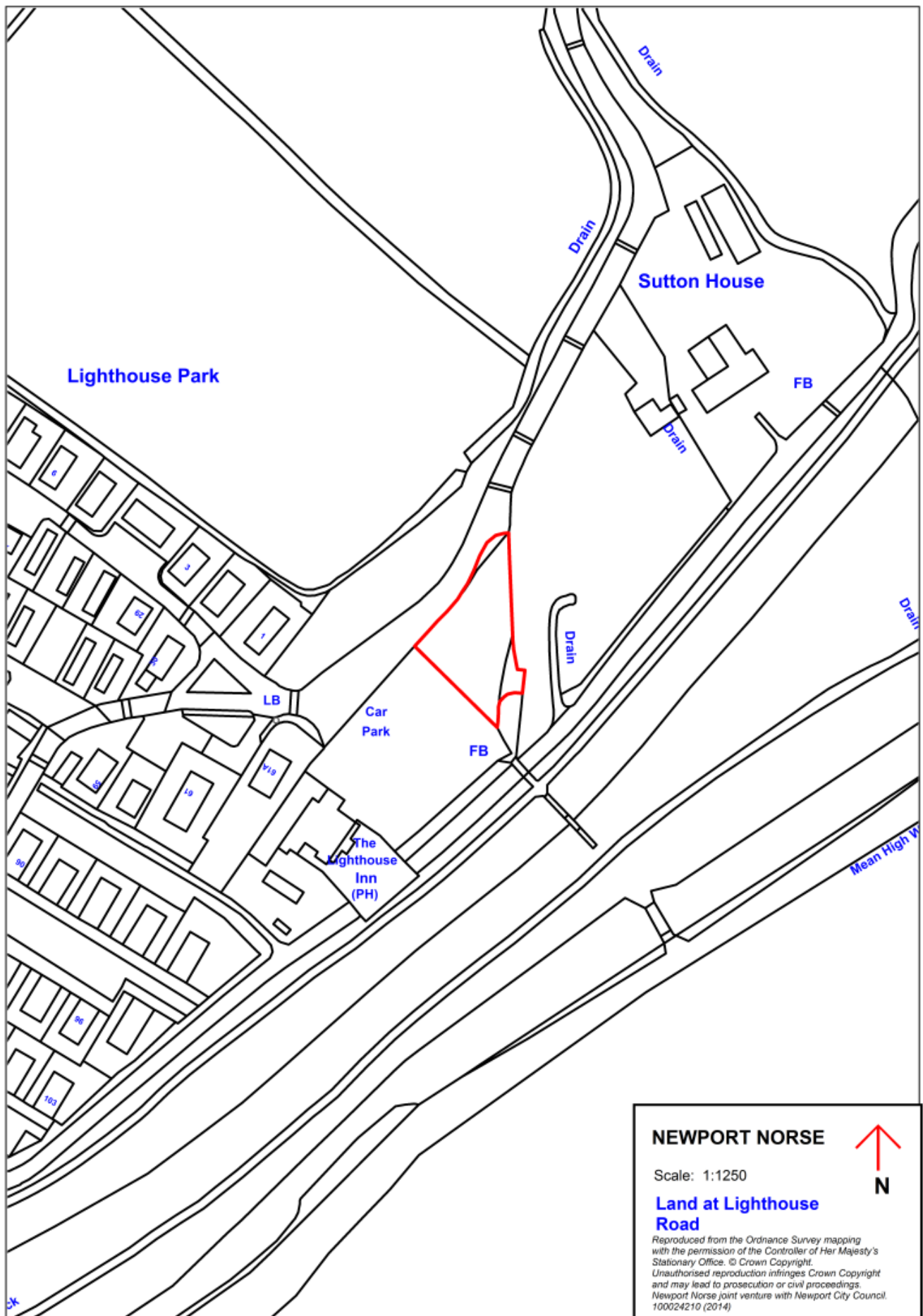
### **Consultation**

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

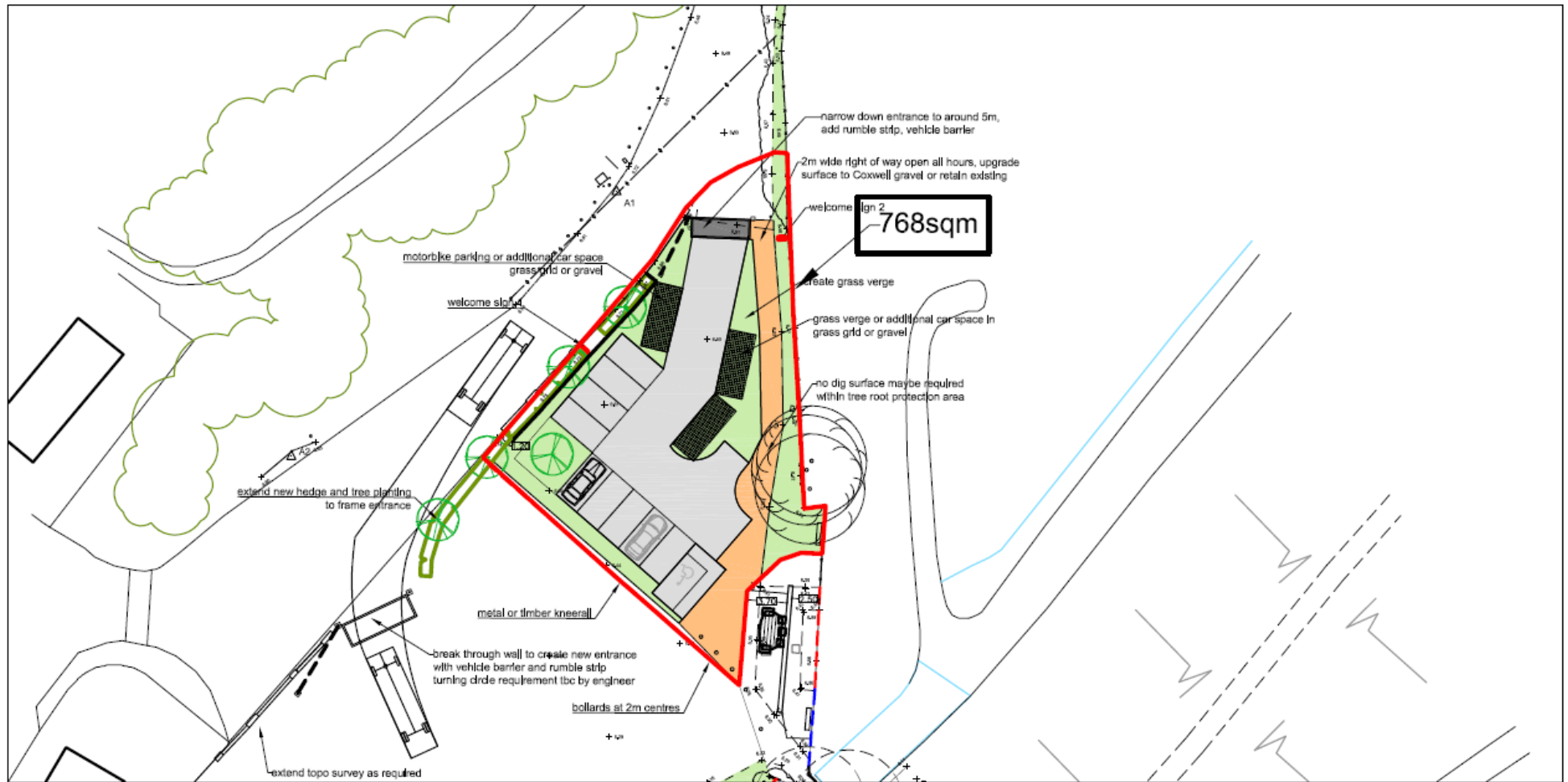
### **Background Papers**

Site plans attached.

Dated: 17 August 2020







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